CONFIRMATION

Executive nomination confirmed by the Senate December 4 (legislative day of December 3), 1924

SECRETARY OF AGRICULTURE

Howard M. Gore to be Secretary of Agriculture.

HOUSE OF REPRESENTATIVES

THURSDAY, *December 4, 1924*

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most gracious God, amid all the conditions of our daily lives, give us increasing ability to hope, to believe, and to love the pure and the true. While we thank Thee for Thy manifold blessings, yet make us worthier to receive them. This day open our minds to Thy truth and our hearts to Thy love. Thy providence has directed the good fortunes of our country. Do Thou help us to ever honor it for its principles and ideals. May our best dreams for its present and future greatness be realized and let Thy saving health be known among all nations. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LONGWORTH] or I myself may have the floor for a minute. I want the attention of the gentleman from Ohio for half a minute, if I may have it.

The SPEAKER. The gentleman is recognized.

Mr. GARRETT of Tennessee. Mr. Speaker, to-morrow, I believe, is pension day under the general rules of the House. As I understand it, the pension committees have no business that they desire to bring to the attention of the House on to-morrow. But next Friday will be claims day, or Private Calendar day, as I now recall, under the general rules of the House. During this Congress claims have not come up in the regular order. Of course we have had several Private Calendar days, but they have always been to consider bills unobjected to. Now, there are a number of bills on the Private Calendar, reported from the Committee on Claims, and perhaps from other committees, which have been objected to, although the authors of them believe they are entitled to have the House act upon them. I would like to ask the gentleman from Ohio if he can give the House any idea now as to what the disposition will be next Friday toward letting the general rules prevail and having claims considered without any limitation on the consideration?

Mr. LONGWORTH. Mr. Speaker, I am glad the gentleman from Tennessee asked me that question, because I think that it is none too early now to arrive at some general understanding about what we shall do from now until the Christmas holidays. I feel that it is our duty under existing conditions to clear the decks, so far as possible, for the passage of the appropriation bills. I am informed by the chairman of the Committee on Appropriations that there are two bills now ready in addition to the bill we are considering to-day—the Agricultural bill and the Treasury Department bill; and the Post Office appropriation bill, I believe, is practically completed. At any rate I am very confident that the Committee on Appropriations will have bills ready for us to take up one after the other, and there will be no reason why we shall not be able to pass all the appropriation bills within a very reasonable time. Certainly it will not be the fault of the Committee on Appropriations if we do not.

At the same time I realize that there is other legislation in which many gentlemen are interested, and that there are certain days provided under the rules of the House for the consideration of that legislation. I, for instance, would favor, at least so far as I can now foresee, in advance, the proposition that the Committee on the District of Columbia shall have its day in court on the days provided under the rules. The same would be true as to the preservation of Calendar Wednesday, there being a number of very important bills on that calendar. The same, in my judgment, would be true as to the reservation of the Mondays on which motions to suspend the rules and unanimous consent shall be entertained. The same would be true in possibly lesser degree of those days on which it is in order to consider claims. I understand that there are now a number of bills for claims which have been rather strongly contested, which could not be taken up under unanimous consent for the passage of bills to which no objection is made. And I will say specifically, answering the question of the gentleman from Tennessee [Mr. GARRETT], that I personally will be very glad, if it is the desire of the House, to preserve Friday; that is, a week from to-morrow, for the consideration of claims.

It might also be well to suggest that something might be agreed upon as to when the House desires to adjourn for the Christmas holidays. Personally I believe it will be unwise to have a recess of as much as two weeks; that is to say, a recess which would begin some days before Christmas and last until some days after New Years. We have barely got started, and if we should adjourn for two weeks at Christmas I do not think we would be doing quite our full duty with regard to the passage of the necessary legislation and the business of the country; and I propose—and I hope that the House will agree with me in this—I propose at the proper time to offer a resolution to adjourn on the 20th, which will be the Saturday before Christmas, and to reassemble on Monday after Christmas; that is the 29th. That will give gentlemen abundant opportunity to spend Christmas at their homes and come back, it is true, before New Year's, which I believe is rather unusual. But we could have an understanding that the House would adjourn over New Year's Day and observe that as a holiday, and that would give us nearly a full week additional for the transaction of business. It seems to me that under all the circumstances that would be the wise plan.

Mr. MOORE of Virginia. Mr. Speaker, may I make a suggestion to the gentleman from Ohio?

Mr. LONGWORTH. I yield to the gentleman.

Mr. MOORE of Virginia. The gentleman will remember that at the last session the Consent Calendar was taken up on several occasions at night. I know that the gentleman will recognize the importance of some consideration being given to that calendar. Will not the gentleman determine whether we may not begin the consideration of the Consent Calendar at night sessions at some reasonably early day, not perhaps before the holidays, but following the recess?

Mr. LONGWORTH. I will say to the gentleman that so far as I am concerned, I see no real reason why the first and third Mondays in each month should not be taken up in the consideration of bills on the Unanimous Consent Calendar and motions to suspend the rules.

Mr. MOORE of Virginia. Of course, if that is practicable—if the Consent Calendar can be sufficiently considered in that way, everybody, I suppose, will acquiesce; but we are all anxious, at least I am, to speed the Appropriations Committee in any way we can in completing its work and doing everything in that direction, and every other direction that is possible, to avoid an extra session. Perhaps that will make necessary night sessions.

Mr. LONGWORTH. I will say to the gentleman that possibly it would be wise to wait and cross that bridge when we come to it. But I can hardly see the use of frittering away the Mondays on which it is in order to suspend the rules and take up unanimous consents with the consideration of any legislation which everyone knows can not become a law at this session of Congress. That is my view of the situation. [Applause.]

Mr. McDUFFIE. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. McDUFFIE. As the gentleman knows, the Rivers and Harbors Committee has presented quite an extensive program in a bill involving a great many meritorious projects—not a great many, but 34; not so many as may have been carried in other bills. I would like to know the gentleman's attitude with reference to getting some early action on that legislation. I think the whole country is interested, and I am sure quite a number of gentlemen on that side of the aisle are interested and many on this side. And the gentleman will recall that during the closing hours of the last session of this Congress there was some suggestion that immediately, or as soon as possible, upon our return the leadership upon the Republican side would take up the question of carrying out the rivers and harbors program. I am wondering whether the gentleman has given it any serious consideration and how he feels about when we may expect some action on the bill.

Mr. LONGWORTH. Answering the gentleman's question, I will say that I personally am in favor of the passage of a rivers and harbors bill at this session. [Applause.] Of course, something would depend upon the form in which the bill was

brought into the House. I think I can say to the gentleman, though, that in my judgment a rivers and harbors bill will be brought up for the consideration of this House at an early date. But, as I say, I think our first duty is to clear the decks for the passage of the main supply bills. However, that ought not to interfere with the passage of other legislation which the country wants.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LONGWORTH] may have two minutes more in which to answer a question I should like to propound to him.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. The gentleman has expressed opposition to the frittering away of the time of the House on Unanimous Consent Mondays in considering a measure which can not possibly become a law. He obviously referred to the Howell-Barkley bill. The gentleman will remember that he caused the frittering away of the time of the House at the last session for a number of days by a persistent filibuster against that bill. If the gentleman wants to stop frittering away the time of the House will he not consider abandoning his filibuster and allow that measure to be considered on its merits and give the House a chance to say whether it should be passed or not? A clear majority was developed in favor of the bill when it was previously considered. It was only the gentleman's filibuster which prevented the measure from being considered and probably passed by the House. Will the gentleman answer whether he is going to continue his filibuster against that measure or whether he is going to let it be considered?

Mr. LONGWORTH. Mr. Speaker, if the gentleman is through asking his question, I will say, in the first place, that I deny I had anything to do with any filibuster against that bill. I do think that a bill of that importance should have had an opportunity of fair consideration by the committee which reported it. [Applause.]

Mr. HUDDLESTON. The gentleman sets his opinion against the will of the majority of the House, which said it might be brought before the House in a different manner.

Mr. LONGWORTH. Which it would have had it not been for the action largely led by the gentleman who has just addressed me.

Mr. BLANTON. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. BLANTON. Is it not the best judgment of the majority leader that the country wants Congress to pass the appropriation bills and go home? That is my opinion of what the country wants. [Applause.]

Mr. LONGWORTH. I think there is no question that the country wants us to pass the appropriation bills rather than that type of legislation which was repudiated by a tremendous majority in the last election. [Applause.]

Mr. HUDDLESTON. Does the gentleman think the country wants the majority to put itself in the attitude of wasting the time of Congress by filibustering against the consideration of bills? Is that what the gentleman wants us to believe—that the people did so express themselves?

Mr. MACLAFFERTY. Regular order, Mr. Speaker.

GREAT LAKES TO GULF WATERWAY

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech I recently made before 800 business men in my home town of Peoria, Ill., in support of H. R. 5475, a bill I introduced in the last session of Congress for the improvement of the Illinois River in order to make it the connecting link in the deep-waterway project from the Lakes to the Gulf.

President Coolidge, in his message to Congress delivered in this House yesterday, indorsed this Lakes-to-Gulf project, and I believe my speech on the subject will be of interest to the Members of the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Speaker, under leave granted to extend my remarks I insert a speech delivered by myself at Peoria, Ill., which is as follows:

Mr. Chairman, ladies, and gentlemen, it is well for us to have great interest in deep-water navigation from the Great Lakes to the Gulf of Mexico. This can only come through large Federal appropriations. To secure such appropriations is always a difficult task.

We in the Central West have reached the point where it is unnecessary to argue that inland navigation to tide water will be of great advantage to all of those who ship products from the farm and the factory. It is admitted that the Central West will always be at a great disadvantage unless the traffic from the Great Lakes by way of our inland rivers may reach the Gulf. The Federal Government will have to make large appropriations to bring this about. The amount of these appropriations depends entirely upon the cost of construction called for by various plans under consideration.

ABOUT LAKE FLOW

Every plan must be based upon an assumption, so far as the Illinois River is concerned, that there will be a permanent definite minimum flow of Lake Michigan water brought down the Illinois Valley.

The quantity of that water might be just enough to overcome losses by evaporation and through the operation of locks. If that minimum quantity is the basis for calculating costs, then there will have to be built, practically from Joliet to the mouth of the Illinois River, a series of dams that would hold the river into a series of large pools of practically still water. To construct such dams and locks, we are told by competent engineers, would cost many, many millions of dollars; therefore, it must be apparent that the Federal Government would not make the vast appropriations which would be required to establish these large stagnant pools. The smallest quantity of water that could be turned this way would have to be sufficient to maintain the first of these pools at a level with Lake Michigan and at the same time provide a south current.

All who discuss "waterways" speak of "volume" in the terms of cubic second-feet. It has been said that it might be possible to maintain these great pools with an assurance of 1,000 second-feet from Lake Michigan.

It is admitted that as the quantity from Lake Michigan is increased the cost of constructing dams and locks is greatly decreased.

OTHER THINGS TO CONSIDER

It is thought advisable to maintain at the low-water stages of the improved Illinois River a navigable depth of at least 9 feet, with a channel from two to three hundred feet wide.

The State of Illinois is constructing its section to afford a possible depth of 14 feet.

A 9-foot depth can be maintained, as above illustrated, with the minimum flow referred to if the Federal Government can be induced to make the enormous appropriations necessary to do the work. From a deep-waterway standpoint, considering navigation through the Illinois Valley as the sole and only object, we can attain this end if the Government is willing to supply the funds for these large "locked-in" pools.

There are other things, however, to be considered aside from appropriations.

The first is: Would the minimum of 1,000 cubic second-feet furnish sufficient water in the Mississippi River to maintain a 9-foot channel unless that river were likewise made a network of locks?

Second: The source of Chicago's water supply being Lake Michigan, the flow of 1,000 second-feet would not, it is conceded by everybody, prevent the pollution of Lake Michigan.

We are told that the sanitary district canal, some 50 miles in length, is designed to carry something over 10,000 cubic second-feet.

UNITED STATES HAS CONTROL

It is in evidence that for a short period of time the canal, having a full head, can discharge possibly 25 per cent more. Such a discharge would, of course, increase the current in the Chicago River to a point where navigation in the Chicago River, and in the canal itself, would be impractical.

The Federal Government having control, for navigation purposes, of the Chicago River, would never concede such a maximum flow there. It has been demonstrated that a flow of 10,000 cubic second-feet does not interfere with navigation in the Chicago River.

My position, as a deep-waterway advocate, is to secure the necessary governmental appropriations that will give us a practical waterway through the Illinois Valley of at least 9 feet, and maintain that depth from the junction of the Illinois and Mississippi Rivers down to the Gulf of Mexico.

Assuming that we would get the appropriation necessary to maintain such a waterway, the necessities of the people of the Sanitary District of Chicago, the rights of navigators on the Great Lakes, and of the landowners in the Illinois Valley must receive deepest consideration. Efforts must be made to reconcile their conflicting interests. Having this in mind, the bill introduced by myself in Congress affords the groundwork for protecting the rights of all these interests.

INDUCEMENT TO CONGRESS

The bill is based on the theory that the greatest possible flow from Lake Michigan means a minimum cost to the Federal Government, and is the greatest inducement that could be offered to Congress to make the needed appropriations.

This flow, the navigators of the Great Lakes tell us, reduces the lake levels.

Accepting that theory, as well as the claim that we have no right to reduce these lake levels, a fair solution of the controversy sug-

gests that the Sanitary District of Chicago should be compelled to install compensating works that would obviate any cause of complaint on the theory of reducing lake levels.

The bill under consideration so provides. With compensating works installed, there can be no complaint from navigators on the Great Lakes. There would, however, continue to be, as there now is, objection from both Niagara and Canadian water-power interests to any plan that would diminish their water-power possibilities. They urge that the withdrawal of any considerable quantity of water at Chicago from Lake Michigan is a deprivation of their claimed right to control all the water-power possibilities of the Great Lakes.

TO USE WATER POWER

They insist that the development of water power in the Illinois River through the use of Lake Michigan water is a waste; that the 10,000 cubic feet coming from Lake Michigan through the sanitary district canal can at most be used at hydroelectric stations but five times. In other words, that the slope in the river is such that by controlling that volume at five hydroelectric stations we get the maximum efficiency that may come from such volume.

Our State has appropriated $20,000,000 to take up and use the power that can be thus developed. The State can, let us assume, use this water at five different points; the Niagara and Canadian water-power interests say that if the State of Illinois is deprived of this use and that volume is left to them that they can use it to generate seven times the power made possible in the Illinois River, or, in other words, that for 1 horsepower generated from Lake Michigan water in the State of Illinois they can generate 7 horsepower in their territory. It is their argument that they should be given this privilege.

If we give to the Canadian and Niagara power interests the full measure demanded by them, it means that there never can be a deep waterway connecting the Great Lakes with the Gulf of Mexico.

We will not here discuss treaties nor governmental policies, but only suggest the injustice of these demands. We stand firmly upon the proposition that we are entitled to all the power that can come through the use of Lake Michigan water, regardless of whether or not it cuts into the profits of Canada and Niagara Falls interests.

THAT 10,000 SECOND-FEET

It is insisted by some that it is necessary to take 10,000 second-feet from Lake Michigan to maintain unpolluted the source of Chicago's water supply.

In 1889 the State of Illinois made it possible for the Sanitary District of Chicago to organize for the protection of such water supply.

The legislature had in mind that Chicago then had a population of a million and a half. It provided in the bill that the canal between Lake Michigan and the Illinois River should provide for a continuous flow of not less than 5,000 second-feet (300,000 minute-feet) with a depth of 18 feet and a flow not to exceed 3 miles per hour, and that as the population of such district increased such flow should be increased something over 300 second-feet for every 100,000 increase in population.

The same act provided that if the Federal Government ever improved the Des Plaines and Illinois Rivers the sanitary district should make its canal sufficient in size to maintain a flow of 10,000 second-feet. Chicago has reached the point where it is safe to estimate its population at 3,000,000 people.

The Illinois law, under which this district was created, obligates the district to the use at this time of 10,000 second-feet from Lake Michigan. The same law contemplated that any flow from Chicago will damage bottom lands, and provides that such damages shall be paid for, and that the landowners may sue for them and to have the same fixed by jurors in the counties where the damaged lands are situated. The law contemplates that the Sanitary District of Chicago has the right to divert into the Illinois Valley for all time 10,000 second-feet, and the landowner is not obliged to bring successive suits, but can recover in full in one suit, on the theory of the permanency of that flow, namely, 10,000 second-feet.

Complaint has been made that the district has resisted these claims. Complaint has been made that juries have not given adequate verdicts. Complaint has been made that the sanitary district has not observed restrictions placed upon it by the War Department, and that it has exceeded the flow fixed in these governmental permits.

I offer no justification for the resistance in court by the sanitary district of these claims. The district evidently thought where it resisted that it was justified in doing so. The bill we have under contemplation appreciates that the statute of limitations has already barred many landowners, and that to now sue for his damages is too late. In order to give him relief, since he has neglected his day in court, this bill can be so worded, if it is not strong enough in that regard, to take away from the sanitary district the right to plead the statute of limitations, and it can be made to compel the Sanitary District of Chicago to deposit with the Federal Government, or with some board of commissioners, the amount of money necessary to compensate landowners in the Illinois Valley for any damages they may have sustained or in the future will sustain by reason of its flow, whether or not they have instituted damage suits.

STATE HAS AUTHORITY

Some may ask how can such a thing be brought about? The answer is, by compelling the sanitary district to enter into a formal agreement to do this very thing, and to give it no rights under this bill unless it complies fully with such agreement.

Another complaint urged against the Sanitary District of Chicago is that the people of Illinois now realize that the sewage coming down the Illinois River is not sufficiently diluted to remove objections to its presence there.

Without urging the fact that Illinois has ample authority under its police powers to absolutely prevent any of the sewage of Chicago or any other city being discharged into the river where its presence endangers the health of the people, this bill is intended to compel the sanitary district to dilute its sewage so as to remove its menace.

SEWAGE-DILUTION METHODS

Let us not discuss the various scientific methods of sewage dilution, nor the success along that line of European or American cities. Those who know more about that matter than we do, who have given it deeper study, say that the proposition of properly handling the sewage of large cities is yet in its infancy. Methods which to-day are recognized as being the very best may within a very short period of time be discarded and other more effective and economical practices followed.

Assuming for the sake of argument that the methods now employed for this purpose are the very best that scientists can suggest, the installation and use thereof can only be accomplished by the expenditure of tax money.

The Sanitary District of Chicago has been declared by the courts to be a municipal corporation.

The constitution of the State limits its debt-creating ability, the same as it does every other municipality, so that it can not contract debts in excess of 5 per cent of the taxable value of the property within its limits.

This is a limitation by the constitution.

It is not one that can be changed by the State legislature, even though the municipality affected might be willing to make such change. This limitation is to-day causing great inconvenience to practically every city in the State of Illinois; loss of revenue in recent years; the demand for greater civic improvements and the advanced costs of public works have so handicapped many of the cities of this State that they are practically at a standstill for want of revenue, and are now devising ways and means to raise revenue by placing taxes and license fees upon various business undertakings.

EASY TO MAKE ACCUSATIONS

It is said that the present taxable value of the property within the Sanitary District of Chicago and its contemplated increase over the next 20 years will allow that district to spend approximately $5,000,000 per year in the installation of these sewage-disposal plants.

Argument is, of course, made that the expenses of the sanitary district in its legal and other departments are largely in excess of what should be spent for such purposes. It may be that the Sanitary District of Chicago is extravagant. It may be that it is not being properly and economically administered. We can here indulge in no denials that this is the fact.

It is easy to make accusations, to impugn motives, and to declare misconduct. It is easy to charge wrongdoing and misconduct of public officials, and it is very easy to make the public believe such charges. In fact, in discussion of this matter before us one gentleman was so reckless in his statements as to charge I had mercenary motives in this regard, that I was serving the Sanitary District of Chicago, and that I was to be compensated for my such services. This is simply one of the slanderous charges that are so easily bandied about by those character assassins who know not whereof they speak and care not what the effect of their slanders may be.

The fact is that the Sanitary District of Chicago has shown before the committee of Congress, of which I am a member, its maximum possibilities, from a financial standpoint, to develop this sewage-disposal program.

Briefly stated, the program as outlined (and it has not been questioned by anybody) contemplates the expenditure of about a hundred million dollars during the next 20 years (from 1924 to 1945), for such purpose.

COMPELS PURIFICATION

The program of the bill provides that in 1945, regardless of its growth in population, should it exceed that number, the sewage from 4,252,000 of its population will be put through these purification processes. With such program followed, it is estimated that in 1945 the solids turned into the river will be 50 per cent less than they are to-day.

If the bill we have under consideration does nothing more than this one thing, it makes it possible from to-day on to compel a development of these purification works, so that eventually there will be but one-half of the solids in the river that are to-day to be found there.

I would prefer to continue this program of compulsory treatment of sewage by the sanitary district after 1945 by having it proceed in the development of such plants, if it were scientifically and mechanically possible, so that all of the water could be treated for the removal of solids, and that the same should be removed to the greatest possible extent known to scientific endeavor.

Complaint is made that the program of this bill carries on for only 20 years. I am willing to carry it on indefinitely.

In fact, it is urged by those who are not well advised that instead of 20 years being allowed them to make this improvement they should be limited to 5 or at the most 10 years.

Those who urge such a program evidently have not thought of the constitutional limitations placed upon the district. They have not figured out the possibilities of the taxpayers of that district, and they imagine the Legislature of the State of Illinois can increase the debt-creating ability of the Sanitary District of Chicago. Such a suggestion is preposterous, and comes through a misunderstanding of the powers of the legislature.

Objection has been urged to many features of the bill as originally drawn. I, myself, admit that it should be amended.

Nobody has ever pretended that it was a perfect measure. The only thing I claim for it is that it is a step in the right direction. It provides for maintaining the integrity of the United States in its position that it has a right to use the waters of its inland lakes for the benefit and opportunity of its citizens.

CHEAPER FREIGHT RATES

It makes possible a deep waterway from the Lakes to the Gulf.

It opens up to the Middle West the possibility of cheaper freight rates.

It invites to the Illinois Valley manufacturers and business enterprises desiring to take advantage of river facilities to turn out cheaply to the markets of the world their heavier products which are susceptible to slow movement, and cause great industrial development in this valley.

It makes possible the generation of large quantities of electricity by the State of Illinois itself, not by private enterprise, thus inviting manufacturers to locate where they can secure cheap power.

It is in the line of saving our coal deposits.

It places us in favorable position when competing with tidewater gateways.

Of course, there is a burden thrown upon the landowner. Of course, there is an objection to sewage in the river.

If anybody can suggest a program that will better protect the landowner in his damages, I will offer, and struggle for, such an amendment to this bill.

If anybody can suggest a program by which the Sanitary District of Chicago can secure money to speed up the installation of its reduction plants, I will gladly accept, and work for such an amendment.

If anybody can suggest a program humanly possible, or even apparently logical, that will continue the development of sewage-disposal plants indefinitely, until the maximum of purity of the water can be reached, I will favor such an amendment and work to have it incorporated in the bill.

I believe that the large flow is necessary for navigation purposes in the Illinois and Mississippi Rivers.

I believe without this flow there can be no deep waterway.

I believe that the contribution of the sanitary district of its millions of dollars, and many miles of deep-waterway channel, suggests at least fair consideration of the interests of that city and the health of its citizens.

This bill was considered by the Peoria Association of Commerce. It appointed a committee to consider the various phases of the bill and suggest amendments to it. That committee made its report, offering certain suggestions. Each of them, I agree, had merit.

ANOTHER OBJECTION

One of the great objections of the valley landowner is that the sanitary district does not so regulate its flow in the time of natural floods as to diminish the danger to lands adjacent to the river.

I do not know how the Sanitary District of Chicago regulates its flow. I do know that they are using certain large quantities of water for the generation of electric current, and I presume they do use the same regardless of natural conditions in the valley, and that they do generate practically the same quantity of electricity every day in the year.

Landowners seem to think—and we agree with them—that the control of the discharge from Lake Michigan should be taken out of the hands of the sanitary district and placed in the hands of the War Department of the United States. They seem to feel that the bill as introduced may not be strong enough on that point, and such is one of the suggestions of amendment by the Association of Commerce.

I am in favor of the War Department having absolute control of the discharge through the sanitary district canal, and any language that will give such department that absolute control and authority will receive my approval and support.

ASSOCIATION OF COMMERCE COMMITTEE REPORT

My interest in this matter is not political.

I am for a deep waterway, and I am for fairly treating the different interests affected. I am not seeking any political advantage to myself or political disadvantage to any other person.

The report of the committee of the Association of Commerce was adopted. It read:

> "We approve H. R. bill 5475 with the following recommendations or suggestions as to amendment:
>
> "'In case the Sanitary District of Chicago have not immediately complied with any requirements, or orders, of the Chief of Engineers, then the said Chief of Engineers is hereby authorized and empowered to take charge of such locks and controlling works, and operate the same for such length of time as may be necessary to carry out the objects and purposes of this section.'
>
> "Next—'We suggest that the bill be amended to provide a definite program of construction of purification works, which shall be commenced immediately, upon the passage of the bill, such program to provide that by 1945 such purification works shall be sufficient, and in operation, so that the amount of raw sewage and waste passing through the sanitary district canal into the Des Plaines and Illinois Rivers shall be at least 90 per cent less than the amount now passing into such river.'"
>
> "We recommend the bill provide a period of 50 years as the time the contract or franchise between the Government and sanitary district shall run as we do not favor the granting of such rights in perpetuity.
>
> "We further recommend that section 11 be amended to read that in case the Sanitary District of Chicago shall violate, fail, or refuse to carry out any of the provisions of this act on their part to be performed in the time and according to the terms hereof, then the Secretary of War shall have the right to immediately forfeit and annul all of the rights, powers, and privileges by this act granted to the Sanitary District of Chicago by giving to its officers written notice of such forfeitures and annulment."

OTHER SUGGESTIONS

This report was signed by all the members of that committee. It contained no other recommendations, and one of the members of that committee has seen fit to accuse me of a misconception of duty and of violating my trust, when these recommendations are the only ones that he and his associates submitted, and as to each of which I gave them my word I would introduce as amendments to this bill when the consideration comes before the waterway committee.

I have had other amendments suggested to me—some came from Mr. Sackett, who is in charge of the water-power development of this State; some from others, including Congressman RAINEY; and it is my intention, as well as Congressman RAINEY'S, to see that such amendments are put in this bill that will remove any uncertain language that may be in it, and that will make certain the rights, duties, and obligations of all concerned in the proposition.

One of my opponents—and I rather expected more from him—has gone into a frenzy because one provision of this bill reads:

> "This act shall not be in force or effect until the same shall be formally accepted without reservations within 60 days after its passage by an ordinance of the board of trustees of the Sanitary District of Chicago duly passed and promulgated."

That provision is put in the bill for the purpose and with the design of compelling the sanitary district in an official way to formally accept this bill and agree to be bound by its terms and provisions and subject to its forfeiture for the violation of its terms.

SOME GUARANTIES

It is to make sure that the sanitary district officially binds itself to do the things the bill says it shall do. It calls their attention to the possible forfeitures—it calls their attention to the fact that the Chief of Engineers of the War Department is to have the control of their discharge, and is an agreement upon their part to pay the land damages, according to the terms of the bill; to install lake-level controlling works; and to carry out its guarantee with reference to the treatment of sewage, and to consent that the authority over its flow shall be in the hands of the War Department.

It should be our purpose to compel the sanitary district to accept these terms in a formal and binding way; and if it does not do so within 60 days, then so far as the bill gives the sanitary district any rights and privileges the same will not be in force and effect.

Another, learned in the law, advises that no legislation for the deep waterway should be undertaken and that the bill under consideration does not add anything to the development of a deep waterway. His theory is that because there is a dispute between the War Department and the district, which the Supreme Court will decide some time in the near future, that there is a possibility the sanitary district will have to abide by any decision of the War Department regarding the flow until such time as Congress may act in the premises.

DISTRICT MIGHT ACT ALONE

If the decision of the Supreme Court is adverse to the sanitary district, I prophesy that the War Department will never cut down the flow so as to endanger the water supply of the city of Chicago. Should I be wrong, and the War Department goes that far, then I say to you I am firmly of the opinion that the Congress would give authority to the Sanitary District of Chicago to continue to use this 10,000 second-feet, and that another bill to that end by Congressman MADDEN or one of his Chicago colleagues would get almost unanimous support in Congress.

Such a bill would have no appropriations in it for a deep waterway and contain no provisions with reference to sewage-disposal plants, and none for the maintaining of lake levels or paying land damages. The legislature that authorized the organization of the district is pictured as acting with "stupendous stupidity," and this criticism comes from one who, subsequent to the passage of the legislation, was a member of the Illinois General Assembly, and while there offered no suggestion to correct the misconduct of his "supine" predecessors.

This same gentleman says this bill is not a "waterway bill," because it takes advantage of the 65 miles of improvement to be made by the State of Illinois. How ridiculous! For that 65 miles—Lockport to Utica—no Government appropriation is needed. Illinois supplies the money, but Illinois does not agree to pay for lands overflowed nor to maintain the channel from Utica to Grafton. This gentleman advises that the State spend its $20,000,000 before it can know how much water may be withdrawn from Lake Michigan. He advises that the State put in its hydroelectric plants and then wait for water in sufficient quantities to turn its turbines. Let us trust the State authorities have sense enough not to follow his advice.

AFFECTS WHOLE NATION

It is entirely probable the Supreme Court will hold that the limit Chicago may use from Lake Michigan shall be fixed by the War Department until Congress acts on the situation. Assume that, following such a decision, the War Department might make the limit, say, 5,000 second-feet, does anyone imagine the Supreme Court would in its decision to leave it open to the War Department to do this?

The Attorney General of the United States, who is seeking to sustain the right of the Secretary of War to issue these permits, if yesterday's press reports are true, admitted in his brief that while the law questions involved are "comparatively insignificant" that in the case are "far-reaching consequences which effect vitally the whole Nation, questions of magnitude not easily exaggerated."

He is quoted as saying:

> "Chicago's problem * * * is a serious and perplexing one, in which the entire Nation should take a sympathetic interest, * * *. The solution of the question is through Congress * * * as time would be required in Chicago to adjust itself to a decreased withdrawal, * * * the Government would not object to a modification * * * of the present merit, pending action by Congress, to allow a withdrawal in excess of 4,167 second-feet, * * *. The court could provide for some such arrangement in entering its decree."

CONGRESS MUST ACT

Does anyone doubt but what the Supreme Court would do this?

Do any of us doubt that Congress will eventually have to take the first definite action?

Is it not up to us to see that in taking such action Congress will give us ample appropriations for a deep waterway, and provide for the treatment of the sewage involved, and provide for protection and damages to the valley landowner?

A gentleman in an article published in the Peoria Star just before the last election wrote:

> "The people of this valley do not need any bill * * * the Supreme Court will * * * protect our rights by forcing the sanitary district to install purification plants by the enforcing of its injunctional order controlling the flow from Lake Michigan."

Strange that the Attorney General of the United States should disagree with the gentleman!

Another Peorian wrote:

> "If it [this bill] is defeated, we will get the waterway anyhow, because that is already authorized * * * and the effect of the injunction to be issued within a short time, if not blocked by the Hull bill, will be to force the sanitary district to install reduction plants to care for all of its sewage."

With him, also, the United States Attorney General disagrees.

The Attorney General is of the opinion that even if the decision sustains the right of the War Department to limit the flow, that the court will restrain drastic action until Chicago can arrange to protect its water supply.

Even Congressman HENRY T. RAINEY is not spared; "he has fallen before the same blandishments" to which I succumbed.

You have heard "Mr. HULL personally has refused to consider, or accept, any amendment that would modify the viciousness of his sanitary district sewage bill."

LET US GO SOMEWHERE

That statement is, without any qualification, false, and known to be so when its author made it.

As an evidence of its untruth I agreed to propose amendments unanimously suggested by our association of commerce committee in the form of a report, to which he was a subscribing member.

Here we are like the confused members of a volunteer fire department standing arguing over the route to be taken to the fire while our neighbor's house is burning to the ground.

Let us agree to go somewhere; we may by chance find the fire in time to render some service.

This bill, like many other waterway measures, is still unconsidered in committee.

Less than four years ago the United States district engineer for the northwestern division reported to the House Rivers and Harbors Committee as follows:

> "The probability that Congres will limit the increment (Lake Michigan water) to 4,167 second-feet is, in my opinion, so remote that this hypothesis may be left out of consideration."

The same report estimates an 8-foot channel, with 4,167 second-feet of increment (present dams removed), will entail a first cost of $3,124,000, with an annual maintenance cost of $85,800; with an increment of 7,500 second-feet, a first cost of $1,310,000; with an annual maintenance cost of $77,500; with an increment of 10,000 second-feet, a first cost of $576,100, with an annual maintenance cost of $77,500.

The report concludes:

> "In my opinion, to most reasonably conform to the probable conditions of the future, an 8-foot project should now be adopted, based on a 7,500 second-feet withdrawal * * *. Then should Congress place the limit * * * at 10,000 second-feet, which I deem probable and under proper conditions advisable, that increment would of itself increase the depth to 9 feet."

The committee adopted a resolution which I offered calling upon the War Department to furnish the necessary estimates and data to show the cost of constructing a waterway through the Illinois River, at various depths, and particularly a depth of 9 feet, with "increment flows" varying from 1,000 to 10,000 second-feet.

This report is being prepared, and when it is made—and that will be before long—we will know what appropriation will be required to maintain the various depths of water with the different suggested "flows." We will then know the quantity of lake water necessary to maintain a 9-foot level in the Illinois and Mississippi.

When that report is considered I propose to offer all of these amendments and recommendations that have been suggested and do my best to have them incorporated in the bill.

RAPS THE WORD PAINTERS

I do not propose to relinquish my opposition to the demands of the Canadian and Niagara water-power interests; nor do I propose to relinquish my efforts in behalf of a pure stream and for the protection of the valley landowner.

The opponents of this bill may call the bill "a sewage bill" if they like; they may picture the beautiful stream we are said to have had here twenty and more years ago, in which we bathed and fished, over which we boated and from which we gathered pond lillies.

To-day this once beautiful stream is pictured to be "a sullen, silent menace carrying upon its once pure vibrant bosom death and destruction."

Of course, many of the older citizens will fail to recognize the stream of this beautiful word picture.

These word painters forget the fact that for many years before the sanitary district was organized, Chicago was pumping into the Illinois and Michigan Canal 6,000 cubic feet of alleged water per minute, which was so full of solids that it would hardly flow down the canal. It was visible even below Peoria, as it gently worked its way southward in the form of floating islands, while its odors filled the air from Chicago to Grafton.

None of us are so young but what we can remember when in dry seasons the wheels of the steamboats turned up river-bottom mud as they cautiously worked upstream. Neither are we too young to remember that this was a malaria-infected valley every spring.

It may be that the water of to-day, while it appears cleaner, is in fact dirtier, and it may be that the fish have been driven from the river, as they have been driven from every stream into which factory waste is turned, and it may be that adjacent lands have been flooded; and it may be that people have been damaged financially, all because of the waters of the sanitary district. All these things can be admitted, but one of the primary questions to be decided is, Shall the farmers, manufacturers, and other business interests of the great Central Western States be granted deep-water navigation from the Lakes to the Gulf?

Are we willing to keep pace with the progress of the world? Are we willing to bring about a reduction in freight rates? Are we willing to revive manufacturing? If so, we are in favor of a deep waterway.

WANTS JUSTICE FOR ALL

Just which bill may secure it—just what the exact provisions of it may be—is to me immaterial, if the main ideas which I have suggested are part of it.

The thing I am interested in is that we shall get this deep waterway, with justice to everybody, and every interest affected by it.

I submit to you that unless my activities in this matter meet with the approval of my constituents it is their duty to say so. I do not intend, though I believe in the merit of the measure, to waste time and effort trying to accomplish something that is not approved by the people of this congressional district.

I want you to read and study this bill, learn all of its provisions, consider its merits and defects, and then candidly express your opinions concerning it.

I believe I am right on the main features of the bill, and so believing will continue until convinced the majority of my constituents do not agree with me.

PRESIDENT GIVES HIS APPROVAL

President Coolidge in his recent annual message to the Congress said:

"Meantime our internal development should go on. Provision should be made for flood control of such rivers as the Mississippi and the Colorado and for the opening up of our inland waterways to commerce. Consideration is due to the project of better navigation from the Great Lakes to the Gulf. Every effort is being made to promote an agreement with Canada to build the St. Lawrence waterway. There are pending before Congress bills for further development of the Mississippi Basin, for the taking over of the Cape Cod Canal in accordance with the moral obligation which seems to have been incurred during the war, and for the improvement of the harbors on both the Pacific and the Atlantic coasts. While this last should be divested of some of its projects, and we must proceed slowly, these bills in general have my approval. Such works are productive of wealth and in the long run tend to a reduction of the tax burden."

This is considered by many of the older Members of the House to be the strongest indorsement ever given by a President to a deep-waterway project from the Great Lakes to the Gulf of Mexico, and I believe the time has arrived for the Congress to take a prompt action in favor of this legislation.

REPORT OF THE COUNCIL OF NATIONAL DEFENSE

The SPEAKER laid before the House the following message, from the President, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs.

To the Congress of the United States:

In compliance with paragraph 5, section 2, of the Army appropriation act, approved August 29, 1916, I transmit herewith the Eighth Annual Report of the Council of National Defense for the fiscal year ended June 30, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *December 4, 1924.*

REPORT OF THE UNITED STATES CIVIL SERVICE COMMISSION

The SPEAKER also laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Civil Service:

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States, approved January 16, 1883, I transmit herewith the Forty-first Annual Report of the United States Civil Service Commission, for the fiscal year ended June 30, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *December 4, 1924.*

REPORT OF THE WORLD WAR FOREIGN DEBT COMMISSION—POLAND

The SPEAKER also laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I am submitting herewith for your consideration a copy of the report of the World War Foreign Debt Commission dated November 14, 1924, together with a copy of the agreement referred to therein, providing for the settlement of the indebtedness of the Government of the Republic of Poland to the Government of the United States of America. The agreement was executed on November 14, 1924, and was approved by me on that day, subject to the approval of Congress, pursuant to authority conferred by act of Congress approved February 9, 1922, as amended by act of Congress approved February 28, 1923.

I recommend the approval of this agreement.

CALVIN COOLIDGE.

THE WHITE HOUSE, *December 4, 1924.*

REPORT OF WORLD WAR FOREIGN DEBT COMMISSION—LITHUANIA

The SPEAKER also laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I am submitting herewith for your consideration a copy of the report of the World War Foreign Debt Commission dated September 22, 1924, together with a copy of the agreement referred to therein, providing for the settlement of the indebtedness of the Government of the Republic of Lithuania to the Government of the United States of America. The agreement was executed on September 22, 1924, and was approved by me on that day, subject to the approval of Congress pursuant to authority conferred by act of Congress approved February 9, 1922, as amended by act of Congress approved February 28, 1923.

I recommend the approval of this agreement.

CALVIN COOLIDGE.

THE WHITE HOUSE, *December 4, 1924.*

REPORT OF THE AMERICAN BATTLE MONUMENTS COMMISSION

The SPEAKER also laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the American Battle Monuments Commission for the fiscal year ended June 30, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *December 4, 1924.*

CUSTOMS COLLECTION DISTRICTS

The SPEAKER also laid before the House the following message from the President, which was read and referred to the Committee on Ways and Means:

To the Congress of the United States:

The sundry civil act approved August 1, 1914, contains the following provisions, viz:

The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead: *Provided,* That the whole number of customs collection districts, ports of entry, or either of them, shall at no time be made to exceed those now established and authorized except as the same may hereafter be provided by law: *Provided further,* That hereafter the collector of customs of each customs collection district shall be officially designated by the number of the district for which he is appointed and not by the name of the port where the headquarters are situated, and the President is authorized from time to time to change the location of the headquarters in any customs collection district as the needs of the service may require: *And provided further,* That the President shall, at the beginning of each regular session, submit to Congress a statement of all acts, if any, done hereunder and the reasons therefor.

Pursuant to the requirements of the third proviso to the said provision, I have to state that the following is the only change in the organization of the customs service made by Executive order since the last report:

By Executive order dated October 28, 1924, Empire, Oreg., was abolished as a port of entry in customs collection district No. 29 (Oregon) and Marshfield, Oreg., was created a port of entry in the said customs collection district, with headquarters at Portland, Oreg., effective November 15, 1924.

The above change was dictated by considerations of economy and efficiency in the administration of customs and other statutes with enforcement of which the customs service is charged, as well as the necessities and convenience of commerce generally.

CALVIN COOLIDGE.

THE WHITE HOUSE, *December 4, 1924.*

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bills:

H. R. 9561. An act making additional appropriations for the fiscal year ending June 30, 1925, to enable the heads of the several departments and independent establishments to adjust the rates of compensation of civilian employees in certain of the field services;

H. R. 6426. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy,

and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9559. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes; and

H. R. 3537. An act for the relief of L. A. Scott.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES

Sundry messages, in writing, from the President of the United States, by Mr. Latta, one of his secretaries.

NATURALIZATION

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in explanation of a bill (H. R. 9816) on naturalization.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker and gentlemen of the House, on January 3, 1924, I introduced H. R. 4471 to amend the naturalization laws. There are certain important changes required, some provisions of the present laws repealed, and certain new provisions required.

To clarify the situation I have reintroduced the bill on naturalization, being H. R. 9816, on December 1, 1924. This bill has for its purpose a correction of what was intended by the provisions of H. R. 4471.

I have attempted to explain the provisions of H. R. 9816 and the reasons for and necessity of such proposed legislation, namely:

EXPLANATORY REPORT TO ACCOMPANY H. R. 9816, BY MR. RAKER, TO AMEND THE NATURALIZATION LAWS

Following the declaration of war against Germany numerous bills were introduced in Congress to so amend the naturalization statutes as to care for war-time needs and conditions. These bills were in the main eventually consolidated and enacted into law in what is known as the act of May 9, 1918 (40 Stat. L. pt. 1, p. 596).

It requires only a casual inspection of this legislation to establish that it was designed as a temporary expedient merely, and that it was never intended as permanent legislation. Nevertheless, although more than seven years have elapsed since the declaration of war, and although hostilities ceased more than six years ago, we still find this emergency legislation in force.

In certain essentials, in connection with favored classes, this act of May 9, 1918, removed practically every protecting clause of the law, while, on the other hand, certain restrictions were imposed that have no place during the time of peace. Taken all in all, the statute has outserved any war-time usefulness it may have had, and, in addition, opened the door to the grossest character of sins, against which the United States has practically no protection. For example, for a time in California aliens in great numbers who would not fight for the United States during the war and whose war records were such as to prevent their naturalization at all under the general act, resorted to the act of May 9, 1918, and secured naturalization forthwith. Conceding that there was urgent need for the enaction of this legislation during the time of war, there is even more urgent need now, in time of peace, for its repeal.

The basic naturalization act is the act of June 29, 1906 (34 Stat. L. pt. 1, p. 596). That statute, as originally enacted, consisted of 31 sections, these sections being divided into paragraphs, as the subject matter dictated. The only exception to this arrangement is found in section 4. As originally enacted this consisted of six subdivisions, each of one or more paragraphs. The war-time act of May 9, 1918, heretofore referred to, amended the act of June 29, 1906, by adding additional subdivisions to said section 4, these being numbered seventh to thirteenth, inclusive. Two additional sections were added, these being numbered sections 2 and 3, respectively, of said act of May 9, 1918.

By this bill it is proposed to repeal the subdivisions 7 to 13, inclusive, as well as one clause of section 2 of the act aforesaid. In lieu of this repealed legislation in the bill offered there has been drafted a provision designated as the said seventh subdivision of section 4 of the act of June 29, 1906, and therein an endeavor has been made to codify in unambiguous language all of the law in said subdivisions 7 to 13, inclusive, of the act of May 9, 1918, as warrant continuation in perma nent legislation.

In preparing the bill here offered it has been felt that any naturalization legislation should, while fully protecting the interests of the United States, make admission to citizenship as easy as possible for those worthy of receiving same. There can be no question but that a large alien element in our population constitutes a menace to our institutions. It is highly desirable, therefore, that we make citizens of all those who desire to be naturalized and whom we can naturalize without danger to ourselves or our institutions. The process of naturalization should not be made too burdensome or irksome. The bill offered endeavors to give legislative form to the suggestions made during recent years by expert witnesses who have testified before the Committee on Immigration and Naturalization.

The proposed seventh subdivision provides in simple and easily understood language a rule governing all those aliens who have meritoriously served in any of our armed forces. There is no distinction made between service in the Army, in the Navy, or minor branches of the armed service. The United States, beginning with the Civil War, declared the national policy to be that soldiers of alien birth should be granted citizenship on easier terms than those who had not performed said service. Later the same rule was applied to veterans of the Navy. Under the act of May 9, 1918, the same privilege was extended to the National Guard, Naval Militia, Marine Corps, and Coast Guard. All of these favored classes are cared for by the proposed seventh subdivision. The bill proposed in the main closely adheres to the Civil War act, later codified as section 2166 of the Revised Statutes. For peace times I have eliminated the 1918 expedient of providing an immediate hearing on these cases.

The reasoning of the Circuit Court of Appeals for the Eighth Circuit in the case of United States *v.* Peterson (182 Fed. 291) amply warrants this stand, as does the fact that the immediate-hearing clause has made possible colossal fraud in applications based on the act of May 9, 1918. It should be remembered, also, that before the act of 1918, and from the time the act of 1906 went into effect, final hearings on the petitions of veterans could be heard only on stated days fixed by rule of court and of which 90 days' notice had been given. By the legislation here proposed we return to that state of affairs, so far as peace times are concerned, thereby eliminating the opportunity for fraud that has crept into naturalization under the said act of May 9, 1918. Although more than six years have now elapsed since the signing of the armistice, there are still a few veterans of the World War of alien status who have not availed themselves of the privilege of being naturalized as honorably discharged soldiers. It is reported that there are still a few Spanish-American War veterans who are in a like situation. Therefore, to care for these remaining cases, provision has been made, under proper safeguards, that they may be naturalized under the provisions of the proposed seventh subdivision, providing application is filed within one year.

The emergency act of May 9, 1918, required a petition to be filed within six months of the date of honorable discharge. This legislation was doubtless based on the premise that it is entirely possible for a man who during his military or naval service behaved as a man of good moral character to degenerate in this particular following his discharge. Candidates should no doubt be required to petition within a reasonable length of time after getting out of the service, particularly as the record of the candidate in the armed forces is to be accepted as evidence of good moral character. The period of one year, rather than six months, has been fixed in the proposed seventh subdivision to afford greater flexibility of the statute and to give every candidate the maximum freedom of action.

The last sentence of paragraph 2 of the proposed seventh subdivision contains a clause designed to care for the naturalization of our fighting forces of alien birth during time of war. At the time of the declaration of war against Germany there was no legislation of this character on the statute books. More than a year elapsed before a bill could be gotten through Congress. The bill as thus enacted was the act of May 9, 1918. As will be noted by the eleventh subdivision of said act, as a preliminary appropriation for this war-time naturalization, some $400,000 were provided. Had there been in existence on April 6, 1917, a provision of law such as proposed here, not only would the act of May 9, 1918, have been unnecessary but all of this soldier naturalization could have been cared for by the regular naturalization force without the expenditure of other than a trifling sum. In fact, it is altogether conceivable that this work could have been cared for under the appropria-

tion that the naturalization officers were working under at that time. Certainly this proposed bill eliminates any possibility of Congress being again called upon for any such sum as $400,000 for this work. And by enacting this legislation we have a workable statute immediately available in the time of any war and which becomes operative without any expense to the United States upon the declaration of war by Congress.

The second paragraph of this proposed subdivision lays down a workable rule to govern the naturalization status of enemy aliens during the period of war. A perusal of the reports shows what utter confusion this matter was in at the outbreak of the World War. As illustrating this, there are cited some of the decisions on which the above statement is predicated: In re Jonasson, 241 Fed. 723; In re Kreuter, 241 Fed. 981; United States *v.* Meyer, 241 Fed. 305; In re Nannanga, 242 Fed. 737; In re Haas, 242 Fed. 739; In re Subjects of Germany, 242 Fed. 971; ex parte Borchardt, 242 Fed. 1006; In re Duus, 245 Fed. 813; In re Lindner, 247 Fed. 138; United States *v.* Kann, 247 Fed. 968; In re Weisz, 250 Fed. 1008; In re Pfleiger, 254 Fed. 511; In re Pollock, 257 Fed. 350; and Grahl *v.* United States, 261 Fed. 487.

The act of May 9, 1918, made provision under certain circumstances for the naturalization during the war of enemy aliens. From what can be learned as a result of painstaking inquiry, the experiment was far from a success, and the country should be spared from going through a like experience in connection with any future war.

The last clause of this sentence provides that an American citizen who finds himself in an enemy country during the time of war may not be naturalized a citizen or subject of such enemy country. This protection he is entitled to as a matter of law to prevent his being forced through pressure to become an expatriate. This country has from the earliest times declared the right of expatriation to be inalienable. Accordingly no restriction can logically be placed upon an American citizen in a friendly or neutral country during the time of war becoming a citizen or subject of such friendly or neutral country. In fact, we pursued this identical policy during the World War in respect to subjects of the allied powers then in this country whom we naturalized as a matter of course in great numbers all during the period of the war.

The last paragraph of the proposed seventh subdivision undertakes to so codify the law dealing with alien seamen as now declared in the seventh subdivision of the act of May 9, 1918, as to more fully protect the interests of the United States, and to at the same time work no hardship on any given candidate. As drafted it is believed this purpose has been achieved. By restricting the privilege of the petitioner to the home port of the alien concerned, there is eliminated all necessity for an immediate hearing of the petition, thus giving the Government time to investigate the case, which investigation will put a stop to such frauds as now exist in these classes of cases. The petitioner also is better prepared at such home port than he is elsewhere to establish the essential facts concerning his residence and good moral character.

To permit of a critical study being made of the proposed seventh subdivision and the legislation it is proposed to replace through repeal, there is made a part of this report, set down in opposing columns, the said proposed seventh subdivision in the first column, and in the second column the seventh, eleventh, twelfth, and thirteenth subdivisions of the act of May 9, 1918, the repeal of which is provided for:

Seventh. That any alien eligible to naturalization who has enlisted, or may hereafter enlist, in any one of the regularly established armed forces of the United States, and who has been honorably discharged therefrom by reason of expiration of his term of service or because of injuries or sickness actually incurred in line of duty, may, if he petitions within one year from the date of his discharge, be naturalized without proof of residence in the United States of more than one year preceding the date of his application, and without the production of a declaration of intention, upon his compliance with the other terms of the naturalization law: *Provided*, That time spent in the Panama Canal Zone, the Philippine Islands, or other places outside the boundaries of the United States, in service with the armed forces of the United States, may be regarded as residence within the United States in connection with petitions for naturalization filed under this provision, but may not be so regarded in connection with any other class of cases: *Provided further*, That a veteran of the World War who did not prior to November 11, 1918, refuse to be naturalized while in the service, or who did not prior to the armistice seek release from the service on the ground of alienage; or a veteran of the Spanish-American War, Philippine rebellion, or Chinese Relief Expedition may be naturalized under the terms of the foregoing provisions, provided he files his petition within one year from the date of the passage of this act: *And provided further*, That upon the declaration of war by Congress the President of the United States may during the emergency by proclamation and under such safeguarding regulations as he may promulgate, authorize designated courts to immediately naturalize those aliens who have been inducted into the armed forces of the United States; that he shall be empowered to waive court costs in such naturalizations, as well as the requirement of at least one year's United States residence; that he may direct the courts to adjourn from the regularly established places of sitting, and to hear the petitions presented to them under this provision at such places as may best suit the conveniences of the War and Navy Departments; and that the Bureau of Naturalization and its field force shall be the agency designated to handle the emergency war-time naturalization authorized by this provision.

That during the time of war no enemy alien may be naturalized nor may an American citizen expatriate himself by becoming naturalized a citizen or subject of an enemy country.

That every alien seaman, eligible to naturalization who has declared his intention to become a citizen of the United States, and who has thereafter honorably served continuously for three years upon any vessel of the United States Government, or on board of oceangoing merchant or fishing vessels of the United States, petition for naturalization at his home port, without proof of United States residence other than proof of the service here prescribed, upon compliance with all other requirements of the naturalization law: *Provided*, That petition is filed within six months from the date of last discharge: *And provided further*, That only in the case of petitions filed under this provision of law may time spent upon vessels of the United States be regarded as residence within the United States."

Seventh. Any native-born Filipino of the age of 21 years and upward who has declared his intention to become a citizen of the United States and who has enlisted or may hereafter enlist in the United States Navy or Marine Corps or the Naval Auxiliary Service, and who, after service of not less than three years, may be honorably discharged therefrom, or who may receive an ordinary discharge with recommendation for reenlistment; or any alien, or any Porto Rican not a citizen of the United States, of the age of 21 years and upward, who has enlisted or entered or may hereafter enlist in or enter the armies of the United States, either the Regular or the Volunteer Forces, or the National Army, the National Guard or Naval Militia of any State, Territory, or the District of Columbia, or the State militia in Federal service, or in the United States Navy or Marine Corps, or in the United States Coast Guard, or who has served for three years on board of any vessel of the United States Government, or for three years on board of merchant or fishing vessels of the United States of more than 20 tons burden, and while still in the service on a reenlistment or reappointment, or within six months after an honorable discharge or separation therefrom, or while on furlough to the Army Reserve or Regular Army Reserve after honorable service, may, on presentation of the required declaration of intention petition for naturalization without proof of the required five years' residence within the United States if upon examination by the representative of the Bureau of Naturalization, in accordance with the requirements of this subdivision it is shown that such residence can not be established; any alien serving in the military or naval service of the United States during the time this country is engaged in the present war may file his petition for naturalization without making the preliminary declaration of intention and without proof of the required five years' residence within the United States; any alien declarant who has served in the United States Army or Navy, or the Philippine Constabulary, and has been honorably discharged therefrom, and has been accepted for service in either the military or naval service of the United States on the condition that he becomes a citizen of the United States, may file his petition for naturalization upon proof of continuous residence within the United States for the three years immediately preceding his petition, by two witnesses, citizens of the United States, and in these cases only residence in the Philippine Islands and the Panama Canal Zone by aliens may be considered residence within the United States, and the place of such military service shall be construed as the place of residence required to be established for purposes of naturalization; and any alien, or any person owing permanent allegiance to the United States embraced within this subdivision, may file his petition for naturalization in the most convenient court without proof of residence within its jurisdiction, notwithstanding the limitation upon the jurisdiction of the courts specified in section 3 of the act of June 29, 1906, provided he appears with his two witnesses before the appropriate representative of the Bureau of Naturalization and passes the preliminary examination hereby required before filing his petition for naturalization in the office of the clerk of the court, and in each case the record of this examination shall be offered in evi-

dence by the representative of the Government from the Bureau of Naturalization and made a part of the record at the original and any subsequent hearings; and, except as otherwise herein provided, the honorable discharge certificate of such alien, or person owing permanent allegiance to the United States, or the certificate of service showing good conduct, signed by a duly authorized officer, or by the masters of said vessels, shall be deemed prima facie evidence to satisfy all of the requirements of residence within the United States and within the State, Territory, or the District of Columbia, and good moral character required by law, when supported by the affidavits of two witnesses, citizens of the United States, identifying the applicant as the person named in the certificate or honorable discharge, and in those cases only where the alien is actually in the military or naval service of the United States, the certificate of arrival shall not be filed with the petition for naturalization in the manner prescribed; and any petition for naturalization filed under the provisions of this subdivision may be heard immediately, notwithstanding the law prohibits the hearing of a petition for naturalization during 30 days preceding any election in the jurisdiction of the court. Any alien who, at the time of the passage of this act, is in the military service of the United States, who may not be within the jurisdiction of any court authorized to naturalize aliens, may file his petition for naturalization without appearing in person in the office of the clerk of the court and shall not be required to take the prescribed oath of allegiance in open court. The petition shall be verified by the affidavits of at least two credible witnesses who are citizens of the United States, and who shall prove in their affidavits the portion of the residence that they have personally known the applicant to have resided within the United States. The time of military service may be established by the affidavits of at least two other citizens of the United States, which together with the oath of allegiance may be taken in accordance with the terms of section 1750 of the Revised Statutes of the United States after notice from and under regulations of the Bureau of Naturalization. Such affidavits and oath of allegiance shall be admitted in evidence in any original or appellate naturalization proceeding without proof of the genuineness of the seal or signature or of the official character of the officer before whom the affidavits and oath of allegiance were taken, and shall be filed by the representative of the Government from the Bureau of Naturalization at the hearing as provided by section 11 of the act of June 29, 1906. Members of the Naturalization Bureau and service may be designated by the Secretary of Labor to administer oaths relating to the administration of the naturalization law; and the requirement of section 10 of notice to take depositions to the United States attorneys is repealed, and the duty they perform under section 15 of the act of June 29, 1906 (34 Stat. L. pt. 1, p. 596), may also be performed by the commissioner or deputy commissioner of naturalization: *Provided*, That it shall not be lawful to make a declaration of intention before the clerk of any court on election day or during the period of 30 days preceding the day of holding any election in the jurisdiction of the court: *Provided further*, That service by aliens upon vessels other than of American registry, whether continuous or broken, shall not be considered as residence for naturalization purposes within the jurisdiction of the United States, and such aliens can not secure residence for naturalization purposes during service upon vessels of foreign registry.

During the time when the United States is at war no clerk of a United States court shall charge or collect a naturalization fee from an alien in the military service of the United States for filing his petition or issuing the certificate of naturalization upon admission to citizenship, and no clerk of any State court shall charge or collect any fee for this service unless the laws of the State require such charge to be made, in which case nothing more than the portion of the fee required to be paid to the State shall be charged or collected. A full accounting for all of these transactions shall be made to the Bureau of Naturalization in the manner provided by section 13 of the act of June 29, 1906.

Eleventh. No alien who is a native, citizen, subject, or denizen of any country, state, or sovereignty with which the United States is at war shall be admitted to become a citizen of the United States unless he made his declaration of intention not less than two nor more than seven years prior to the existence of the state of war, or was at that time entitled to become a citizen of the United States, without making a declaration of intention, or unless his petition for naturalization shall then be pending and is otherwise entitled to admission, notwithstanding he shall be an alien enemy at the time and in the manner prescribed by the laws passed upon that subject: *Provided*, That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing, or heard, except after 90 days' notice given by the clerk of the court to the Commissioner or Deputy Commissioner of Naturalization to be present, and the petition shall be given no final hearing except in open court and after such notice to the representative of the Government from

the Bureau of Naturalization, whose objection shall cause the petition to be continued from time to time for so long as the Government may require: *Provided, however,* That nothing herein contained shall be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien; and section 2171 of the Revised Statutes of the United States is hereby repealed: *Provided further,* That the President of the United States may, in his discretion, upon investigation and report by the Department of Justice fully establishing the loyalty of any alien enemy not included in the foregoing exemption, except such alien enemy from the classification of alien enemy, and thereupon he shall have the privilege of applying for naturalization; and for the purposes of carrying into effect the provisions of this section, including personal services in the District of Columbia, the sum of $400,000 is hereby appropriated, to be available until June 30, 1919, including travel expenses for members of the Bureau of Naturalization and its field service only, and the provisions of section 3679 of the Revised Statutes shall not be applicable in any way to this appropriation.

Twelfth. That any person who, while a citizen of the United States and during the existing war in Europe, entered the military or naval service of any country at war with a country with which the United States is now at war, who shall be deemed to have lost his citizenship by reason of any oath or obligation taken by him for the purpose of entering such service, may resume his citizenship by taking the oath of allegiance to the United States prescribed by the naturalization law and regulations, and such oath may be taken before any court of the United States or of any State authorized by law to naturalize aliens or before any consul of the United States, and certified copies thereof shall be sent by such court or consul to the Department of State and the Bureau of Naturalization, and the act (Public, 55, 65th Cong.) approved October 5, 1917, is hereby repealed.

Thirteenth. That any person who is serving in the military or naval forces of the United States at the termination of the existing war, and any person who before the termination of the existing war may have been honorably discharged from the military or naval services of the United States on account of disability incurred in line of duty, shall, if he applies to the proper court for admission as a citizen of the United States, be relieved from the necessity of proving that immediately preceding the date of his application he has resided continuously within the United States the time required by law of other aliens, or within the State, Territory, or the District of Columbia for the year immediately preceding the date of his petition for naturalization, but his petition for naturalization shall be supported by the affidavits of two credible witnesses, citizens of the United States, identifying the petitioner as the person named in the certificate of honorable discharge, which said certificate may be accepted as evidence of good moral character required by law, and he shall comply with the other requirements of the naturalization law.

No attempt has been made to recodify subdivisions 8, 9, and 10 of the act of May 9, 1918. New subdivisions here proposed begin with the eleventh.

By the proposed eleventh subdivision it is attempted by statute to fix an educational test that candidates must meet to entitle them to naturalization. This provision follows almost word for word resolutions adopted on this subject by the 1923 California State American Legion convention and the National American Legion convention held during the same year.

At present there is nothing in the statute governing this subject. It is true that as a part of the oath of allegiance the petitioner declares that he will support and defend the Constitution of the United States. It is equally true that a man can not be attached to something with which he is not acquainted. Therefore it is a practice of certain courts to impose an educational qualification. There is, however, up to the present time no statutory requirement governing this matter, and as a consequence there is no uniformity of practice. In one court there may be a rigid test, in another none at all. The need of such a test as is here proposed is graphically portrayed by an article appearing in a recent issue of the San Francisco Examiner, one of the great Pacific coast newspapers. In reporting the proceedings in a Federal court of California this newspaper quoted the judge verbatim as disposing of a case on the following questions and responses:

"Have you ever heard of George Washington?"
"No."
"Do you know who Abraham Lincoln was?"
"No; but I have five children."
"I guess that really counts for more in good citizenship," the judge replied, as he admitted him.

The Government was, of course, without right or remedy in this or any other like case, and was, of course, helpless in so far as objecting to the naturalization of this candidate on the showing made by such candidate. The provisions of the law proposed are designed to give the people of the United States something to say on the subject through appropriate legislation prescribing reasonable educational tests.

The second paragraph of the proposed eleventh subdivision is likewise based upon resolutions of the American Legion convention above referred to. The need of this legislation is made very clear by the court decisions, some of which declare ineligible for naturalization those who, because of their alien status, would not fight in the war against Germany, while other tribunals hold that a refusal to fight does not in any way affect the eligibility of a petitioner to become naturalized. Some courts hold that a man who refused to fight in time of war can never be naturalized; others that such exemption claims bar naturalization only for a period of years. These conflicting decisions in themselves warrant this proposed legislation, particularly when we stop to consider that by law the rule of naturalization shall be uniform. The cases favoring denial of those who will not fight follow:

In re Gustavson (300 Fed. 251); In re Bevelacqua (295 Fed. 862); In re Pitto (293 Fed. 200); In re Linder (292 Fed. 1001); In re D——— (290 Fed. 863); Petition of Escher (279 Fed. 792); In re Shanin (278 Fed. 739); Hauge *v.* United States (276 Fed. 113); In re Roeper (274 Fed. 490); In re Rubin (272 Fed. 697); In re Trachel (271 Fed. 779); In re Tomarchio (269 Fed. 400); In re Silberschutz (269 Fed. 779); and In re Loen (262 Fed. 166).

Those holding that refusal to fight does not constitute an objection to naturalization are:

United States *v.* Siem, C. C. A, (299 Fed. 582); In re Siem (284 Fed. 838); In re Levy (278 Fed. 621); and In re Miegel (272 Fed. 688).

By referring to the first decision, which is an appellate court decision, it will be noted that the court ruled in this as it did for the reason that there is no statute specifically governing the subject, which further emphasizes the urgent need of the legislation here proposed.

The last paragraph of the proposed said eleventh subdivision is likewise based upon legislation urged by the American Legion in its 1923 convention. It enables those of the public who have any real ground for objecting to the naturalization of a given applicant to appear in court in such a status as to insure them a hearing.

The first paragraph of the proposed twelfth subdivision is made necessary by this condition. The Supreme Court of the United States has declared members of certain races ineligible to citizenship. So far as the naturalization statute is concerned, however, there is nothing to prevent members of any of the races above referred to from at will declaring their intention to become citizens of the United States. This situation requires correction, and correction can only be accomplished through specific legislation.

The second paragraph of this proposed amendment is legislation most urgently needed. Since immigration has been restricted it is a matter of common knowledge that aliens have streamed across the Canadian and Mexican borders in vast hordes in utter disregard of the immigration laws and without compliance therewith. One of the first steps likely to be taken by such a person is to file his declaration of intention, this with a view to fighting deportation in the event of apprehension. Aliens thus illegally in this country should be deprived of the privilege of declaring their intention so long as their status as illegal-entry men continues. This proposed legislation accomplishes this purpose and likewise provides a means for the Department of Labor to locate aliens illegally in the United States under the immigration laws.

The third paragraph of the proposed amendment likewise represents a need so far as permanent legislation is concerned. While there are a few court decisions declaring a candidate must be 21 years of age, and while this may be the accepted practice, yet there is nothing to prohibit a court from departing from such practice and from naturalizing a minor.

The need of the last paragraph of the proposed twelfth subdivision is emphasized by the litigation that has grown out of the fact that there is now nothing in the statute specifically defining the jurisdiction of the State courts in naturalization causes. The weight of judicial authority is as defined in the proposed legislation. (United States *v.* Koopmans, 290 Fed. 545; petition of Briese, 267 Fed. 600; United States *v.* Johnson, 181 Fed. 429; United States *v.* Wayer, 163 Fed. 650; and United States *v.* Schurr, 163 Fed. 648.) Once in a while, however, a court refuses to follow this ruling. (United States *v.* Stoller, 180 Fed. 910.) The reason why the jurisdiction should be restricted as above provided is well stated in the Johnson case, supra, in the following language:

> The clear import, it seems to me, of the provision of the naturallzation act, "that the naturalization jurisdiction of all courts herein specified—State, Territorial, and Federal—shall extend only to aliens resident within the respective judicial districts of such courts," is that the alien applicant shall reside in the county where the district court acting on the application is held. This view best accords with the remedial policy of the present law that for purposes of inspection by the Bureau of Immigration and Naturalization into the grant of certificates of naturalization the record thereof may point to the residence of the party as of the county where the certificate has been granted and where the public and parties interested may be expected to take notice of the records of the district court having jurisdiction over the person as well as the subject matter.

Respecting the proposed thirteenth subdivision, it may be stated that at practically every session of Congress since the act of 1906 became law it has been urged that provision be made for the taking of depositions to establish residence in the State in which the candidate files his application. In far Western States, where distances are vast and where seasonal occupations prevail, there are great numbers of men who of necessity must move about within the State. As the law now stands they can not resort to cumulative proof, and this precludes them from procuring naturalization.

They can not take the depositions of the witnesses at their various places of residence, nor can they bring these witnesses into court to orally testify. They are restricted to two witnesses who must possess knowledge of the candidate's residence and character for the whole of the five years that precede the date of making their applications. Had they lived in States other than the one in which it was desired to petition, this residence at points other than their homes could be established by depositions. The legislation proposed follows established Federal practice in deposition-testimony matters and fully protects the interests of the United States.

The first paragraph of the proposed fourteenth subdivision is self-explanatory. It provides that an alien who fraudulently enters the United States through evasion of the immigration laws shall not be confirmed in his right to remain in the United States through his being made a citizen by naturalization. This is a reasonable supplement to the immigration laws.

The second paragraph of the proposed amendment is suggested by the provision in the new immigration bill which places the burden of proof upon the alien concerned. The cases that most readily fall within this provision are cases like the United States *v.* Wursterbarth, 249 Fed. 395; Schurmann *v.* United States, 264 Fed. 917, 42 S. Ct. 185, 257 U. S. 621, and United States *v.* Herberger, 272 Fed. 278. Likewise, cases such as United States *v.* Swelgin, 254 Fed. 884; United States *v.* Stuppiello, 260 Fed. 483; and United States *v.* Olsen, 272 Fed. 706, are directly in point.

But after all is said and done, these decisions represent judge-made law, and the rule therein declared can ordinarily only be enforced during the time of war fervor. This is well illustrated by United States *v.* Woerndle, 288 Fed. 47, in which a naturalized German permitted a German spy to use his American citizenship papers in the furtherance of the said spy's hostile activities.

The proposed legislation therefore merely gives legislative form to what the overwhelming number of courts have declared should be the law. This proposed provision will also care for cases where aliens of the most vicious type, such as pimps and bawdyhouse keepers, procure naturalization, and who under present conditions can only be stripped thereof at a great expenditure of money and time by the United States. Decisions such as United States *v.* Raverat (222 Fed. 1018), United States *v.* Lelles (236 Fed. 784), and United States *v.* Milder (289 Fed. 572) have a direct bearing on the situation under discussion. By making specific statutory provision for cases of this kind any doubt as to the Government's right to revoke naturalization will be set at rest and will make much easier the task of the United States in confining citizenship to naturalized aliens who are unquestionably men of good moral character.

The third paragraph of the proposed fourteenth subdivision deals with aliens who abandon their families abroad and who conceal facts relating thereto and who appear among those who seek naturalization. Once admitted to citizenship it is difficult indeed for the Government to recall the grants of naturalization conferred. Cases such as United States *v.* Albertini (206 Fed. 136) and United States *v.* Kichin (276 Fed. 818) illustrate this situation. The legislation proposed is amply warranted by the experience of the past.

The proposed fourth paragraph is essential to make effective the preceding paragraphs of the section.

Paragraph 1 of the fifteenth subdivision calls for certificates of arrival in naturalization cases to contain the personal description of the alien named therein. Without this personal description there is no opportunity afforded the courts of naturalization to really identify the petitioner with the record of landing adduced. A provision such as here proposed will eliminate the last possible avenue of fraud through appearing under the record of another.

The second paragraph of the proposed fifteenth subdivision is offered as a result of the situation portrayed in United States *v.* Janke, 183 Fed. 277. In that case a woman who had been dead for some four years petitioned for naturalization. Her application was verified by two citizens, who identified her as the person named in the petition. Later on hearing was had on this petition in open court, so far as the records show, and the petitioner and witnesses appeared and were examined in open court as to their qualifications. Following this there was an order of the court entered naturalizing this deceased woman, and a certificate of naturalization was actually issued in her name.

Later the Government, undertaking to punish this fraud through criminal prosecution, was defeated on the ground that the witnesses did not understand English and therefore could not be held to personal responsibility for their acts in signing the fraudulent petition made up in this case and their subsequent acts. The situation where ignorance of what is going on in a naturalization case can be successfully pleaded as a bar to conviction for crime should be corrected. A rule requiring the naturalization to occur within the sight and hearing of his witnesses and that these witnesses shall be able to speak and understand English will accomplish this. Thereby the standard

of citizenship will be greatly raised. Fraud will also be all but done away with, or where not done away with the Government will be able to successfully prosecute.

Section 2 of this proposed bill is designed to deal with the following situation. In the seventh subdivision of the emergency act of May 9, 1918, it is provided as follows:

That it shall not be lawful to make a declaration of intention before the clerk of any court on election day or during the period of 30 days preceding the day of holding any election in the jurisdiction of the court.

Whatever war-time purpose this legislation was intended to serve is not known. The situation is, however, that naturalization court clerks have for years overlooked this provision of law, as a result of which great numbers of declarations have been issued in violation thereof. This is true in my own congressional district, and I understand is true generally throughout the United States.

The legislation is legislation that should be repealed, and the declarations issued in violation thereof should be validated, and this is the intent of the proposed section 2.

By section 3 of this proposed bill repeal of four portions of the acts is provided for. The first of these has to do with legislation designed to care for Civil and Spanish-American War veterans. So many years have elapsed since the Civil War that it is inconceivable that there are many more veterans of that war of alien birth who have not been naturalized on their soldier record. The Spanish-American War veterans are cared for by the proposed seventh subdivision. In fact, that subdivision goes further and cares for all of those who saw war service prior to the World War, this through inclusion of the Philippine rebellion and the Boxer uprising. The second portion of law which it is sought to repeal deals with the Naval Reserve. Members of this reserve are provided for in the aforesaid proposed seventh subdivision.

The third provision of law to be repealed deals with the status of neutral aliens who during the war evaded military service by claiming alienage. Their cases are dealt with by paragraph 2 of the proposed eleventh subdivision.

The last provision of law, the repeal of which is sought, extended the provisions of the seventh subdivision of the act of May 9, 1918, for one year after all of our troops returned from abroad. This provision has lapsed by expiration of time and should be repealed.

Section 4 undertakes to deal with a general situation, which is that clerks of the courts in large centers, through lack of clerical force, are unable to give the public the service that should be provided in accepting the filing of declarations of intention and petitions for naturalizations. The present law only allows a clerk to retain $3,000 during any fiscal year. After he has earned this sum, he has to turn all of the remaining fees collected over to the United States. Should clerks be allowed to retain one-half of all the fees they collect there would be no loss by the Government, as a greater volume of business would be done, which would mean a greater collection of fees. As said fees would be ample to provide all of the clerical assistance needed, such assistants would be employed, could these fees be so retained. The Government at no cost to itself would thus be relieved of all burdens in providing clerical aid in the larger courts, and at the same time the public would receive vastly improved service.

By paragraph 2 of this proposed section the filing fee for declarations of intention is raised from $1 to $4. There are a great many more aliens who annually declare their intention to become citizens than who actually seek naturalization. This is due to the laws of various States and municipalities that require those employed on public works to either be citizens or to have declared their intention to become such. These declarants file their applications for no other purpose than to secure employment that by law is confined to American citizens or those who in good faith intend to become such. The fee of $1, now fixed, does not pay the clerical cost of preparing a declaration, and the thousands of aliens who every year declare their intention with no thought of becoming naturalized thereon, should no longer be accorded the privilege of securing these papers at a financial loss to the taxpayers, as the taxpayers must make up the difference between the cost of the issuance of any given declaration of intention and the fee paid for execution of such instrument.

All of which is respectfully submitted.

The bill (H. R. 9816) reads as follows:

A bill (H. R. 9816) to amend the act of June 29, 1906 (34 Stat. L. pt. 1, p. 596), as amended in sections 16, 17, and 19 by the act of Congress approved March 4, 1909 (35 Stat. L. pt. 1, p. 830); by the act of Congress approved March 4, 1913 (37 Stat. L. pt. 1, p. 736), creating the Department of Labor; by the act of Congress approved May 9, 1918 (Public, No. 144, 65th Cong., 2d sess.); and by the act of Congress approved September 22, 1922 (U. S. Stats. pt. 1, chap. 411, p. 1921, 67th Cong., 2d sess.)

Be it enacted, etc., That the seventh, eleventh, twelfth, and thirteenth subdivisions of section 4 of the act of June 29, 1906 (34 Stat. L. pt. 1, p. 596), as amended, are repealed, and in lieu thereof the following provisions are substituted:

"Seventh. That any alien eligible to naturalization who has enlisted, or may hereafter enlist, in any one of the regularly established armed forces of the United States, and who has been honorably discharged therefrom by reason of expiration of his term of service or because of injuries or sickness actually incurred in line of duty, may, if he petitions within one year from the date of his discharge, be naturalized without proof of residence in the United States of more than one year preceding the date of his application, and without the production of a declaration of intention, upon his compliance with the other terms of the naturalization law: *Provided*, That time spent in the Panama Canal Zone, the Philippine Islands, or other places outside the boundaries of the United States in service with the armed forces of the United States may be regarded as residence within the United States in connection with petitions for naturalization filed under this provision, but may not be so regarded in connection with any other class of cases: *Provided further*, That a veteran of the World War who did not prior to November 11, 1918, refuse to be naturalized while in the service or who did not prior to the armistice seek release from the service on the ground of alienage, or a veteran of the Spanish-American War, Philippine rebellion, or Chinese relief expedition, may be naturalized under the terms of the foregoing provision provided he files his petition within one year from the date of the passage of this act: *And provided further*, That upon the declaration of war by Congress the President of the United States may during the emergency, by proclamation and under such safeguarding regulations as he may promulgate, authorize designated courts to immediately naturalize those aliens who have been inducted into the armed forces of the United States; that he shall be empowered to waive court costs in such naturalizations, as well as the requirement of at least one year's United States residence; and that the Bureau of Naturalization and its field force shall be the agency designated to handle the emergency war-time naturalization authorized by this provision.

"That during the time of war no enemy alien may be naturalized, nor may an American citizen expatriate himself by becoming naturalized a citizen or subject of an enemy country.

"That every alien seaman eligible to naturalization who has declared his intention to become a citizen of the United States, and who has thereafter honorably served continuously for three years upon any vessel of the United States Government, or on board of ocean-going merchant or fishing vessels of the United States, petition for naturalization at his home port, without proof of United States residence other than proof of the service here prescribed, upon compliance with all other requirements of the naturalization law: *Provided*, That petition is filed within six months from the date of last discharge: *And provided further*, That only in the case of petitions filed under this provision of law may time spent upon vessels of the United States be regarded as residence within the United States.

"Eleventh. That no alien may be naturalized who does not establish at the final hearing on his petition in open court, to the satisfaction of the court and the United States, that he proficiently reads and writes English, and that he possesses a true comprehension of the Declaration of Independence and the Constitution of the United States, and a knowledge of civics and American history: *Provided*, That naturalization procured or conferred without compliance with the foregoing requirement shall be deemed illegally secured.

"That no person who has asked for or sought exemption from military service in the United States armed forces in any wars in which this country has been (or may hereafter be) engaged, on the grounds of his conscientious objection or enemy or neutral alienage, shall be naturalized.

"That examiners of the Bureau of Naturalization may, in their appearance before the courts in naturalization causes as the representatives of the United States, associate with them members of any patriotic organization under such regulations as the Secretary of Labor may prescribe.

"Twelfth. That hereafter no alien who is not a free white person or of African nativity or descent may file a declaration of intention to become a citizen of the United States.

"That no alien may file a declaration of intention until he has established that his admission into the United States was in

accordance with the immigration laws, and for the purpose of permanent residence therein. The Secretary of Labor shall make such regulations as may be necessary for the enforcement of this provision.

"That no alien may petition for naturalization until after having attained the age of 21 years.

"That the jurisdiction of State courts in the filing of declarations of intention and petitions for naturalization shall be limited to bona fide residents of the county or municipality in which the court concerned sits.

"Thirteenth. That any alien who, by reason of his residence at widely separated points within the State in which he seeks naturalization, is unable to produce two witnesses competent from observation and personal contact to testify to his residence and good moral character for the five years continuously and immediately preceding his application shall be given the benefits of section 10 of the act of June 29, 1906: *Provided*, That he has resided within the county or municipality in which he applies for naturalization for not less than one year continuously immediately preceding the filing of his petition: *And provided further*, That the State residence remaining to be covered by deposition testimony represents residence at a place or places 100 miles or more distant from the court in which naturalization is sought.

"Fourteenth. That no alien may be naturalized who has not entered the United States at a regularly established port of entry, for the purpose of permanent residence, and who has not at the time of such entry fully complied with the immigration laws.

"That the burden of proof shall be upon every alien seeking naturalization, and his witnesses, to fully establish that such alien has met all requirements of the naturalization laws and that said applicant is in every respect entitled to naturalization; that it shall be the duty of each such alien and witness to disclose to the United States every matter that may in any way bear upon said alien's eligibility to naturalization; and that the admission to citizenship of every alien shall be conditioned on his continued loyalty to the United States, law-abiding conduct, and behavior as a person of good moral character.

"That no alien may be naturalized who has abandoned his wife and minor child or children, or wife, or child or children, in the old country, or who has prior to his petitioning for naturalization failed or neglected to bring to the United States his wife and minor child or children, or wife, or child or children.

"That the United States may, by suit in equity, revoke any naturalization secured, or held, where such naturalization was so secured, or is held, in breach of any of the foregoing provisions.

"Fifteenth. That every certificate of arrival issued for naturalization purposes shall, in addition to the information now required to be recited therein, contain the personal description of the alien concerned as shown by the immigration records made at the port of entry at the time of the admission of such alien to the United States for the purpose of permanent residence therein, and any petition for naturalization not supported at the time of its filing by such a certificate shall be void.

"That every petition for naturalization shall be signed by the applicant and verifying witnesses in the presence of each other; that the examination of the applicant and his witnesses in open court at the time of the final hearing on any petition for naturalization shall be in the presence of and within the hearing of each other; that the verifying witnesses on a naturalization application shall be able to speak and to read and write English; and that at least one verifying witness on each petition for naturalization shall be a native-born citizen of the United States."

SEC. 2. All declarations of intention issued since May 9, 1918, by clerks of courts of competent naturalization jurisdiction within the period of 30 days preceding the holding of any election in the jurisdiction of the court are hereby declared valid in so far as the issuance of such declarations of intention within the prohibited period is concerned, but shall not by this act be further validated or legalized.

SEC. 3. That the portion of section 2 of the act of May 9, 1918 (Public, No. 144, 65th Cong.), reading:

> "That as to all aliens who, prior to January 1, 1900, served in the Armies of the United States and were honorably discharged therefrom, section 2166 of the Revised Statutes of the United States shall be and remain in full force and effect, anything in this act to the contrary notwithstanding,"

is repealed.

The act of May 22, 1917 (Public Laws, 65th Cong., 1st sess., 1917, p. 84), providing for the separate naturalization of members of the Naval Reserve Force, is repealed.

So much of the act of July 9, 1918 (40 Stat. L. pt. 1. p. 885), as reads:

> "*Provided*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall forever be debarred from becoming a citizen of the United States,"

is repealed.

So much of the act of July 19, 1919 (41 Stat. L. pt. 1, p. 222), as reads:

> "Any person of foreign birth who served in the military or naval forces of the United States during the present war, after final examination and acceptance by the said military or naval authorities, and shall have been honorably discharged after such acceptance and service, shall have the benefits of the seventh subdivision of section 4 of the act of June 29, 1906 (34 Stat. L. pt. 1, p. 596), as amended, and shall not be required to pay any fee therefor; and this provision shall continue for the period of one year after all of the American troops are returned to the United States,"

is repealed.

SEC. 4. Clerks of State courts exercising naturalization jurisdiction shall retain one-half of all naturalization fees collected by them, and such fees shall be full compensation for services performed by them in the exercise of naturalization jurisdiction by their courts. So much of section 13 of the act of June 29, 1906, as amended, as is inconsistent with this provision is repealed. The provision of the act of June 12, 1917 (40 Stat. L. pt. 1, p. 171), relating to section 13 of the act of June 29, 1906, as amended June 25, 1910, is repealed.

That from and after 30 days from the passage of this act the fee for filing a declaration of intention shall be $4.

DEPARTMENT OF INTERIOR APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10020, making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SANDERS of Indiana in the chair.

Mr. CHINDBLOM. Mr. Chairman, may I ask how much time remains for general debate?

The CHAIRMAN. The gentleman from Michigan has 1 hour and 24 minutes and the gentleman from Oklahoma has 1 hour and 45 minutes remaining.

Mr. CARTER. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Chairman, I want to consume the time allotted to me in explaining an item which I think should be included in the appropriation bill now under consideration. It has reference to the claim of Stevens and Ferry Counties, in the State of Washington, for one hundred and fifteen thousand and some dollars in lieu of taxes on Indian allotments in the north half of the Colville Indian Reservation located partly in these two counties.

By Executive order, made in 1872, the Colville Indian Reservation located in the Territory, now the State of Washington, was established. In 1890 a commission was sent out to the various Indian reservations in the country, including the Colville Reservation, for the purpose of negotiating with these Indians, to the end that certain of the lands might be restored to the public domain. This was known as the Fullerton Commission. That commission visited the Colville Reservation in that year and reported back the result of their efforts with reference to that particular reservation. Based on that report and on the recommendation of the Secretary of the Interior, an act was passed July 1, 1892, restoring to the public domain what is known as the north half of the Colville Indian Reservation.

I am going to read to you a part of that act that you may get the particular wording applying to this particular restoration. I am quoting in reading this from the report of the Secretary of the Interior under the date of May 16, 1921, to the chairman of the Committee on Indian Affairs of the House.

I quote from the report as follows:

> The claims of Stevens and Ferry Counties are based on the act of July 1, 1892 (27 Stat. L. 62), which act provided that the net proceeds arising from the sale of the north half of the Colville Reservation, in these counties, containing approximately 1,500,000 acres of land, ceded by the Indians and restored to the public domain, should be—
>
> "SEC. 2. * * * set apart in the Treasury of the United States, for the time being but subject to such further appropriation for public

use as Congress may make, and that until so otherwise appropriated may be subject to expenditure by the Secretary of the Interior from time to time in such amounts as he shall deem best, in the building of schoolhouses, the maintenance of schools for such Indians, for the payment of such part of the local taxation as may be properly applied to the lands allotted to such Indians as he shall think fit, so long as such allotted lands shall be held in trust and exempt from taxation, and in such other ways as he may deem proper for the promotion of education, civilization, and self-support among said Indians."

That, gentlemen of the committee, is the particular section of the act upon which this claim is based. I want to call your attention to this distinctive feature of that particular section, distinguishing it from the wording of other acts applying to the restoration to the public domain of other Indian lands. We are all agreed that it is not customary that Indian lands should be taxed, and this matter, strictly speaking, is not a tax on Indian land, but it provides for the payment by the Government to these counties in lieu of taxes on Indian land. It is based on the statute, and I want to read it so that you may get the distinction:

for the payment of such part of the local taxation as may be properly applied to the lands allotted to such Indians as he shall think fit.

You will not find this language in any other act restoring Indian lands to the public domain.

I call attention to that fact because in the report of this committee the committee have said in their report, page 3:

An item of $115,767.67 estimated for payment of taxes to certain counties in the State of Washington is not recommended, as a precedent would be established by such payment that might hereafter be held to justify many millions in similar payments in many States.

They seem to think it might establish a precedent, and I can sympathize with that attitude, provided the conditions exist upon which to base such a statement. I am inclined to think the committee did not have full information or they would not have made the statement that it would establish a precedent, because I say that you can not find the language about payment of taxes contained in the act of 1892, referred to, in any other act restoring Indian lands to the public domain. So it can only apply in the case of the restoration to the public domain of lands in the north half of the Colville Indian Reservation.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. Yes.

Mr. CARTER. As I understand this proposition, or as it was explained to the committee, there was some kind of an understanding with the Indians by which a certain amount of money, the result of the sales of their lands, which they had ceded, would be used for their support and civilization and for the payment of taxes. That is true, is it not?

Mr. HILL of Washington. Yes.

Mr. CARTER. Then, I understand that all that money was used for the support and civilization of the Indians.

Mr. HILL of Washington. I do not so understand.

Mr. CARTER. And that there is now none of that money in the Treasury. Furthermore, that this item calls for a direct appropriation from the Treasury to pay taxes for Indian lands which have been exempted. If the gentleman's case is on a different basis from the cases of Indian lands in other States, it may be entitled to some consideration, but if it is on the same basis as Indian lands in other States, then I say to him that if it were adopted we would be entering upon a policy here, setting a precedent, which, if we would follow it, would cost this Government not less than $100,000,000 annually in the payment of taxes on Indian lands that have been exempted in all the different States of the country. Take, for instance, Arizona and New Mexico. Some of the counties in those States have practically no taxable lands on account of the land in them being Indian lands and exempt from taxation. Take the State of South Dakota. That State has counties in it which can not be organized, which have no officials on account of the lands being nontaxable, being Indian lands. In Oklahoma it would cost not less than $50,000,000 annually to carry out this policy of taking care of the taxes on the Indian lands which are exempted. As I say, if the gentleman's case is upon a different basis from those which I have in mind, then it ought to have consideration, but if it is on the same basis as lands in other States, and if this money is to be taken directly from the Treasury without any reimbursement from the Indian funds, then certainly we would be embarking upon a policy about which we ought to hesitate before giving it our sanction.

Mr. HILL of Washington. It is not the gentleman's understanding that there are any similar provisions as to these other reservation lands providing for the payment of local taxation, is it? The gentleman does not understand that there is a similar provision to this in respect to other Indian lands which have been restored to the public domain, providing for local taxation on Indian allotments?

Mr. CARTER. I understand the gentleman's proposition to be that these lands were exempt from taxation, as all Indian lands are, and that afterwards the Indians ceded a part of their reservation, one of the conditions being that the money for which those lands were sold to the white settlers should be used for the support and civilization of the Indians and for the payment of taxes on lands that have been exempted to those counties, but that all of the money that was collected for the sale of these lands has been expended, that the fund has been exhausted in the support and civilization of the Indians, and that there is now no money in that fund, and that this calls for a direct appropriation from the Treasury.

Mr. HILL of Washington. Yes; it calls for a direct appropriation from the Treasury.

Mr. CARTER. If that is true, that would place them upon the same basis exactly as all other Indian lands in the different States.

Mr. HILL of Washington. I shall be glad to direct my attention to that phase; but let me repeat that this is the only act in which language is used providing for the payment of taxes on Indian lands by the Government—that is, by the money from this special fund.

Mr. CARTER. Does the gentleman know whether this fund has been exhausted?

Mr. HILL of Washington. I am coming to that. It will take a little time to explain it. There were a million and a half acres ceded to the Government, or restored to the public domain, from the north half of the Colville, and that was land remaining after the Indians had selected their allotment. The homesteaders were permitted to go in there and take this land, and upon the payment of the usual land-office fee, plus a dollar and a half an acre, the land was homesteaded, and with the usual residence of five years the homesteader could secure a patent. The net proceeds of the sales of these lands went into a special fund set apart for the purpose to which I have referred here; that is, the net proceeds of sales were put into a special fund and out of that fund the Secretary of the Interior from time to time was authorized to pay for the building of schoolhouses, the maintenance of schools for the Indians, and for the payment of such part of the local taxation as may be properly applied to lands of such Indians. That was in a special fund, set apart in the Treasury of the United States for the time being, but subject to such further appropriation for public use as Congress may make. The gentleman is following me?

Mr. CARTER. Yes.

Mr. HILL of Washington. It is set apart in this special fund for the use to which I have referred. It is to stay in that fund until Congress shall otherwise appropriate it. There was accumulated in that fund from 1900, when the Indian reservation was opened by proclamation of the President, until some time about the year 1915, a little less than $400,000. A part of that money was spent in building schoolhouses and maintaining schools for Indians, and no part was spent for local taxation or for the building of roads or any improvements that went to the civilization of these Indians. It stayed in that fund, and Congress never appropriated it for any other purpose, but the Comptroller of the Treasury, without any act of Congress, covered it into the General Treasury of the United States and it went into the reclamation fund, as the proceeds of the sales of all lands of the public domain in that State go, and that, too, without any authorization from Congress. In other words, the special fund, so far as any act of Congress is concerned appropriating it otherwise, still exists, but in fact it has been covered into the General Treasury and it is no longer available. For that reason we had to come to Congress and get this act authorizing the payment by the Government of that money. Had it not been for the fact that this money was diverted from that special fund, without any act of Congress but simply through the erroneous act of the Comptroller of the Treasury, I contend, then the Secretary of the Interior would have the money to pay these claims and would not require anything of Congress to authorize him to do it.

Mr. CARTER. Now, is the gentleman sure this money has been diverted or is not this the fact: There were two different purposes for which the money could be used under the understanding with the Indians, to wit, in general terms, support and civilization and payment of taxes. Now, is it not a fact

that all the money has been consumed in support and civilization rather than some having been diverted?

Mr. HILL of Washington. No; it is not.

Mr. CARTER. Can the gentleman tell the House how much——

Mr. HILL of Washington. I can not tell how much, but I will tell the gentleman this: In 1903 instead of these homesteads being on a sale basis they were made free homesteads. In 1906 the Government bought outright a million and a half acres of land involved in the previous transaction at an agreed price of a million and a half dollars, and that was paid to the Indians, and out of that money was reserved the unexpended balance of the moneys in this special fund.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL of Washington. Can the gentleman from Oklahome yield me five more minutes?

Mr. CARTER. I yield the gentleman five additional minutes.

Mr. HILL of Washington. So the fund was not exhausted, but they deducted it from the million and a half dollars that constituted the purchase price for this land, and it is in the Treasury of the United States Government; it was not expended. There is an abundance of money there to pay this claim. It should be made available for that purpose. Now, I want to say in the short time remaining that this claim has been thoroughly investigated by various committees. In February, 1920, the Indian appropriation bill carried a provision that the Secretary of the Interior should make an investigation of this claim in the field, and he sent one of his very best men to make the investigation, and he investigated and reported back that this claim should be paid, and the Secretary of the Interior embraced that in his report, and it was reported to the House and Senate Indian Affairs Committees, and upon that report were based bills for the payment of these moneys.

The matter has been twice investigated by the Senate Committee on Indian Affairs and reported favorably. It has been twice passed by the Senate. It has been investigated by the House Committee on Indian Affairs. The bill was laid last session before the subcommittee, and that committee unanimously reported it favorably, and the whole committee favorably reported in a unanimous report made to this House. It was passed; it has been approved by three Secretaries of the Interior; it has been passed by the Director of the Budget; and it comes here to this House with all of this approval back of it. And I ask the favorable consideration of the item at this time in this bill. I take it that the committee considering this bill did not have the time to investigate this item or did not have the data upon which to base approval of this item, or else they would not have found contrary to the reports of all these other investigating officials who had the same matter in charge. It can not become a precedent, because there is no other act relating to a similar subject that carries the wording of the statute upon which this claim is based. Hence you will not be confronted with the millions of dollars of claims which seems to be so greatly feared. I know we are all interested in economy. That was the strong theme of the President's address, but he said that the United States Government should pay its debts; and that is what we want now, that a debt of the United States Government be paid, and that the item in question be included in this bill. I shall not try to enter into the details of this matter, especially in the limited time allotted to me, to show you why the peculiar language as to payment of taxes was included in the act of 1892 and not in other similar acts. There is a peculiar condition obtaining in the north half of the Colville Reservation, which made it necessary to offer special inducement to settlers to go into that country. It has been extremely difficult to get settlers to go into that rugged country. Take Ferry County. To-day that county has only 14 per cent of its land on the tax rolls, and 86 per cent of the land is in Indian allotments, in forest reserves, and public domain. So, you see, the conditions were peculiar that gave a reason for this diversion from the usual and ordinary procedure in the matter of restoring Indian-reservation lands to the public domain.

I wish I had more time to go into that feature of it. I simply touched upon it in order to call your attention to the fact that there was a reason why this exception was made as to these lands.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MURPHY. Mr. Chairman, I yield one hour to the gentleman from Ohio [Mr. BURTON].

The CHAIRMAN. The gentleman from Ohio is recognized for one hour.

Mr. BURTON. Mr. Chairman and gentlemen of the committee, under the latitude of general debate it is my desire to speak upon some lessons to be derived from the recent election.

Such a review will be helpful because we can thus interpret the will of the voters, whose Representatives we are, and recognize beacon lights to guide us in the future.

What, then, are some of the lessons of the recent election? In the first place, it is evident that the people of the United States are not disposed to adopt radical changes hastily. A sane conservatism survives. They still adhere to those fundamental principles contained in the Constitution and inwrought in the structure of this Government. One fundamental principle should never be forgotten. It is to the effect that, while the will of the people must prevail and we must have faith that ultimately their judgment will be right, it is equally essential that the will of the people should be deliberately expressed after mature and careful consideration.

The avoidance of hasty action resulting from superficial consideration or under the influence of passion or prejudice is secured by the Federal Constitution in many ways, as, for example, by the creation of two legislative bodies, a Senate and a House. At the time of the Constitutional Convention of 1787 no less a person than Benjamin Franklin advocated only one. But his suggestion was rejected. Again, deliberate action is promoted by the veto power of the President and by a tenure of Cabinet officers not subject to termination by adverse votes of the legislative branch. In this last regard our system differs very materially from that of the governments of Europe. In the adoption of constitutional amendments there is required for submission a two-thirds vote of both Houses and then ratification by three-fourths of the States. Incidentally, in the negotiation of treaties there is a requirement that there shall be ratification by a two-thirds vote of the Members of the Senate who are present. Most important of all in securing the objects desired is the Supreme Court, intrusted with the power to determine the limits and boundary lines of executive and legislative authority and to pass upon the validity of laws enacted by Congress and the State legislatures.

It is well to remember that this Government of ours is not an advanced or radical democracy. It is rather a Republic in which the law-making power is vested in representatives. The stability of the Republic is fortified by checks and balances and by safeguards alike against overthrow by revolution or oppression by the tyranny of fleeting majorities.

The framers of the Constitution were reluctant to grant arbitrary power or the final determination of legal questions to either executive or legislative bodies. They were strongly impressed by the words of Montesquieu in his work, "The Spirit of the Laws": "There is no liberty if the power of judging be not separate from the legislative and executive powers." Thus the ideal was established of a government of laws and not of men. The one distinctive feature of our political system is a Supreme Court to act as a restraint, a mentor it may be called, upon both executives and legislators.

Another motive which aided in the notable victory of November last was a desire for stability both in the maintenance of existing institutions and of conditions in our industrial and social life. It was the thought of the people that, whatever may have been the faults of the present administration in either branch, it was unsafe to tread the path of experiment. Changes in control were not regarded as desirable unless there was an assurance of improvement, and neither of the two contending parties gave promise of such improvement. Again the present administration submitted its claims to the people with a record of achievement in matters both foreign and domestic which may well challenge comparison with any preceding administration.

Another lesson is to be found in the overwhelming victory of President Coolidge. The electorate are always prone to visualize in some prominent personality the embodiment of their ideals and aspirations. They have standards for leadership and thus they are often more interested in the individual candidate than in the principles set forth in party platforms. Such a personality was found in Calvin Coolidge. His courage, his conscientious regard for public duty, his plain but abundant common sense, all appealed to the men and women of the country. The arrows of slander and detraction fell harmless at his feet. His almost unprecedented vote was a tribute of popular confidence rarely vouchsafed to any political leader.

A most encouraging lesson can be derived from the support of President Coolidge in that, while blocs and minorities can threaten, and selfish and local interests may regard important national issues as subservient to personal advantage, a Presi-

dent who stands four-square for the general welfare is sustained when a myriad of votes are cast. In nothing is there greater danger to the body politic than in the power of persistent and well-organized groups to secure the enactment of measures which are contrary to the interest of the aggregate body of our citizenship. This is made possible by the fact that the united and vigorous support of a comparatively small number often seems to render more efficient aid to one seeking office than that of the inert and rarely aroused majority who take less interest in public affairs. The present disposition to secure such advantages is manifested by the great mass of propaganda much of which is calculated to mislead rather than to give accurate information, by the fact that Washington is filled with organizations of lobbyists who seek to overawe Congress for such objects as special privilege or favors, bonuses, larger salaries, and matters of individual or local concern. The late election with its 15,000,000 votes, approximately, for the successful candidate against 12,000,000 for all others, is a proof that the country still has supreme regard for courage and common honesty. [Applause.]

In this connection it may be said that a severe criticism can be made upon the political platforms of parties in the past in that they have been marked by a strenuous endeavor to include an almost infinite variety of views and interests. Thus, they promote the formation of groups and blocs. The result is a neglect of weighty problems of general concern which should stand out as high spots in the aims of all patriotic citizens. Among reforms which may be considered desirable both for convenience and salutary accomplishment, none would be more commendable than to lay emphasis upon a limited number of issues of grave importance with brevity in their statement.

The autumn of 1924 was not a favorable season for the muckraker or professional pessimist. The voters were not disposed to give much attention to numerous charges against public officials as the real issues of the campaign. This was not due to any lack of insistence upon honesty or absence of interest in the punishment of the guilty. It must be especially emphasized that dishonesty or failure of duty on the part of those in the public service, whether their station be high or low, must be relentlessly prosecuted and severely punished. There was a general belief that many of these accusations were made for political capital, and as the people were confident that President Coolidge would strenuously insist upon rectitude in official positions, they resented the baseless accusation that their Government was steeped in corruption. Any wholesale indictment of their public servants was regarded as an unjust reflection upon the American name and, in effect, an indictment of themselves. The judicious deplored the spread of scandals, which were circulated here and abroad. It is to be hoped that hereafter no anxiety for success in an election will afford an excuse for reckless assertions such as were made in the late campaign. A candidate for high office declared that the United States Government would lose more than a billion of dollars by the Tea Pot Dome lease. Some things which were done in connection with this transaction were apparently most reprehensible and deserving of condign punishment, but such a preposterous statement is worthy of the severest condemnation. I speak of this matter guardedly, because the question is now before the courts.

References to a so-called slush fund were futile, partly because they were exaggerated or incorrect and partly because they were accepted as the lament of some of those in minor political organizations who would have been glad to have raised and expended as much themselves, and only had ground for criticism because they were less successful in securing financial support. [Laughter.]

The recent management of the Republican campaign was clean; was characterized by an absence of extravagant expenditures and by the avoidance of a deficit. It was conducted in accordance with lawful and correct methods by Chairman Butler and his associates.

In view of the difficulty in arousing voters to go to the polls and in placing the issues clearly before them, a fund of four millions, or even more—which is not much in excess of 13 cents for each voter—does not seem exorbitant. The amount is very small in comparison with the billions of dollars annually expended for advertising. At the same time large expenditures in campaigns are to be regretted, and in an ideal Republic every voter should be alert to perform his duty and give such attention to the consideration of public questions as to vote intelligently. If such conditions could be attained, expenses would be reduced to a minimum, but it is not a political party or the candidate for office who is chiefly responsible; it is rather that inactive mass of voters who only go to the polls when urged and whose study of the problems of the time is so superficial that their conclusions are likely to be erroneous.

The result of the election is a decisive proof that the more thoughtful refused to listen to stock arguments and false accusation, so common in the recent campaign, viz, that financial and business interests control the action of Congress at Washington and have ready access to the White House. A considerable number of agitators have gained prominence by shouting in the voice of a crushed tragedian, "Wall Street! Wall Street!" as if it were like a personal devil, always present at everybody's side. There is enough to criticize in the methods and transactions of Wall Street.

The love of money, the root of all evil, is only too manifest there; but any claim that this financial center of the country is a consolidated or united force, is a myth. There is represented there a very marked contrariety of interests. First, the never-ending fight between the "bulls" and "bears," one desiring increase in the prices of stocks and securities and the other a decrease. There is a large number of institutions which will be benefited by an increase in the rate of interest; others by a lowering of those rates. There are financial houses interested in foreign loans, while there are others who would prefer to see the funds of the country restricted to investment in domestic loans. Some would expect benefit from the highest rates of tariff and others from the lowest. Then there are Republicans and Democrats, each contributing of their means, and giving their support to the respective parties. And I think it may be said without fear of contradiction that if any delegation or any individual came before a committee of this House or an individual Member, saying, "I am a representative of Wall Street," his arguments would be received with great caution.

The history of legislation in past years affords to any dispassionate observer a complete refutation of this groundless charge of undue influence by corporations or financial interests. An appeal on this ground could only be made to those who have not given careful or intelligent study to the subject. As this outcry, however, has not yet been entirely quelled and still has very considerable acceptance, it is well to give a clear statement of the facts. What has been the action of Congress and of Executives in recent years? A summary of that which has occurred since 1887 shows there has been a constantly progressive movement in the restraint of corporate power and the curbing of the privileges which attach themselves to great wealth or large business enterprises.

Let us survey some of the legislation and executive action of the last 40 years.

Beginning in February, 1887, the interstate commerce act was passed. At first this was only a partial solution of problems then pending, for great railway corporations even threatened to overshadow the State. A leading railroad president at one time expressed himself, "the public be damned," and this, unfortunately, was the attitude of some railway magnates. But this act, with amendments passed in 1903, 1906, 1910, and other years, gives absolute control to the Interstate Commerce Commission of rail rates, both freight and passenger. The only real limit upon the rulings of the commission is confiscation of the property involved. The action of the commission has been constantly exerted for the protection of shippers and the various communities of the country. True, rates have been raised—beginning in 1918, when under Government control—but this has been in response to the far higher cost of wages, materials, and taxes. During recent years the average return of railway investments has been less than upon most other forms of property, and reductions have recently been made aggregating $200,000,000 per annum in freight rates especially benefiting the farmers of the West. Has Wall Street or financial interests approved of all this? By no means.

Then in 1890 the antitrust act was passed, which has been enforced with a great deal of severity. During the life of the present administration many corporations have been brought to book and suits are pending against some of the most powerful business organizations in the country with every prospect of a successful outcome. The act was drastically limited in its application to workmen and associations of farmers by the Clayton Act and by prohibitions in appropriation bills so as to afford them practical exemption from the operations of the antitrust statute.

Next, the Federal Trade Commission was established, which has been very aggressive in detecting and preventing illegal practices on the part of manufacturers and traders. It is needless to say that none of this legislation or regulations in pursuance thereof has been favored by great financial interests.

The income tax amendment was presented to the States by a two-thirds vote in both Houses of Congress and ratified by three-fourths of the States. It had been most confidently asserted that it was impossible to secure the necessary majority either in Congress or among the States, because this amendment to the Constitution would arouse the united opposition of the aggregate wealth of the country. But the necessary majority was obtained in Congress and there was ratification by three-fourths of the States. Under acts passed in pursuance of this amendment rates have been as high as 65 per cent in surtaxes, which, with the normal taxes, absorbed for the Government three-fourths of incomes in the higher brackets. In comparison with other nations, exemptions are much larger for those of smaller incomes. Earned incomes for a very considerable amount are favored and have lower rates. Surtaxes up to 40 per cent are now levied—a rate which, it is true, is too high to be effective, especially in view of the fact that there is a refuge for those who invest in tax-free securities. Then there is an inheritance tax as high as 40 per cent on the largest fortunes, and still later in this present Congress an equal rate on gifts has been imposed. Income, Federal, and State inheritance taxes will presumably prevent the accumulation of fortunes so large as those which now exist or have existed in the past.

An especial appeal has been made for the farmers. Time would fail me to enumerate the very considerable number of laws enacted for the benefit of the farmers of this country. It is sufficient to say that no less a person that Mr. William Jennings Bryan said that the first Congress of the Harding administration accomplished more for the farmers than any Congress for 50 years. It is true he maintained that no political party was entitled to the credit, but nevertheless the action of the last Congress shows the trend of the times. In a recent statement Mr. Gompers has said that no legislation opposed by labor has recently been passed, while numerous acts which are favorable to the interests of the working class have been enacted. Contemporaneously with the legislation above described there has been an ever-widening activity in the passage of humanitarian laws for the protection and benefit of workers. The welfare of women and children has by no means been neglected. Political parties have vied with each other in the enactment of humane and progressive legislation.

In the dealings of the executive departments with great corporations and with employers of labor there have been notable instances of the keenest regard for better conditions for the workingman, though against the will of many, if not most of the great employing corporations. It may be said without the slightest fear of contradiction that those who perform manual labor in this country are far more fortunate and enjoy far better opportunities than in any country in the world, and better than in our own country in any previous era of our industrial life.

During the life of President Harding he brought pressure to bear on the United States Steel Corporation to abolish the seven-day week and long hours. In this he was successful and these harsh conditions were abolished a few days before the day of his death.

A report from the Federal Trade Commission, which had been long delayed, favored the abolition of the Pittsburgh-plus plan, and the United States Steel Corporation, which, like all other organizations, is subject to influences of popular opinion, voluntarily abolished it. This undoubtedly will benefit the users of iron and steel products in many portions of the country.

It is a baseless slander upon Congress and the Executive, and upon both the leading political parties, to assert that any favoritism has been shown to the moneyed interests of the country. In fact, under present conditions at Washington, the great financial interests must come and plead, if they dare to come at all, and must be confronted with a manifest disposition to curb their power.

The accusation has been made that the Supreme Court is reactionary or unduly conservative, especially in questions pertaining to the rights of labor. Such accusation is conclusively disproved by a decision rendered in October in which, reversing the judgment of both the district and circuit courts and contrary to a generally accepted opinion of the law, it was decided that those arrested for violation of an order of the court forbidding an act which constitutes a criminal offense, are entitled to a trial by jury unless the violation or contempt is committed in the presence of the court, or is in a proceeding instituted by the Government.

The so-called Clayton Act was sustained. According to this decision, in case there is violence or riot in which thousands participate, the remedy by injunction is nugatory, because each and all are entitled to trial by jury, unless the strong arm of the Federal Government is invoked, as was done by President Cleveland in the railway strike of 1894.

The question of tariff did not awaken the interest which was anticipated, in the discussions last autumn. It was confidently predicted by opponents of the tariff act of September, 1922, that the rates were so high that foreign trade would be seriously impaired. Some even said it would be practically destroyed. The logic of facts shows how groundless were these criticisms. A computation of the imports in the 21 months succeeding the passage of the law showed an increase in comparison with the 21 months preceding of $1,881,000,000 in value, or of 40 per cent; also an increase in exports. If comparison is made with other countries, the improvement in foreign trade was much more noticeable in the United States than anywhere else.

Another argument employed was that the cost of living had been increased in such a way as to involve an additional expense of three or four billions per annum.

A comparison of wholesale prices does not sustain this untenable position. The reported index number for prices of all commodities in August, 1922, was 155; in October, 1923, 153.1; in September, 1924, 148.8; in October, 1924, 151.9. In fact, the marvelous producing capacity of the country has so manifested itself that larger production has kept down most prices. Most of such increases as have occurred have been in agricultural products, and in view of the depressed condition which has rested upon the farming industry, we should be willing to face such an increase.

The principal reason which makes for higher cost of living is to be found in the wide gap between the producer and the consumer. The retailer or final distributor is not so much to blame, because he has to pay a higher rent and higher salaries, keep a greater variety in his stock, maintain pace with the fashions, and each year a considerable share of the goods which he purchases is left over as a loss. The great abundance of gold and the readiness with which credit can be obtained are other causes of an inflation of prices. And then again, we must face this fact, which is in part psychological, that the demand of all classes of our people in this time is for higher profits and higher wages. It is largely due to the aftermath of the Great War, when prices were expanded and everyone was expecting a larger return.

If there was any prophet of calamity, his predictions have been conclusively disproved by the widespread and almost universal impetus given to business since the election on November 4. Confidence, one of the mainsprings of prosperity, has been wonderfully enhanced. The quoted prices of stocks have displayed an increase so phenomenal as to raise a doubt whether the movement is natural or wholesome, but the improvement has been very marked all along the line and in almost every branch of endeavor. This improvement has found a reflection in the increase of employment.

There are numerous conjectures as to the future of the so-called third party in this election. Every political movement, in order that it may survive, must have a basis in principles which promise universal benefits. Its platform must be such as to displace pending issues. It must sedulously avoid such agitation as will arouse class antagonism. In considering this question we must realize that for orderly government in any country one beneficial object to be sought is the existence of only two contending parties. If new political creeds or outside movements are advocated, one or the other party organization can adopt such portions as seem to be for the public weal, but the existence of more than two political organizations makes for inefficiency and the distractions of faction. It promotes special interests and the formation of blocs and obscures the supreme importance of decisions upon settled principles upon which the future welfare of the country must depend. Again, there is danger of fads and delusions which, however attractive they may be, can only result in confusion and disaster. The failure of divers governments on the Continent of Europe to secure the best results has been clearly due to factional divisions resulting from a considerable number of parties. These are unanswerable arguments for the American people against a division into party groups. There is very naturally an alternation in control wherever there are two political parties. When one fails to meet the demands of the time the other takes its place.

It is a notable feature of our American political life that periodically certain financial delusions sweep over the land, sometimes even when the country is most prosperous, at other times when there is depression; for instance, depression from the ravages of the grasshopper or drought or from an abnormally low range of prices. At such times great numbers accept palpably erroneous ideas and adhere to them with fanatical

enthusiasm. Among these we may enumerate the greenback craze in the seventies. We have had an object lesson from experiences in Europe very recently of the evils of irredeemable paper currency, and there is no policy in finance more damaging to each and to all than this idea of using the printing press under the stamp of the government or in any other way for the issuance of currency which can not be exchanged for gold or something of permanent value, and exchanged not only ultimately but immediately. Who would support the greenback theory now? Yet it numbered among its devotees hundreds of thousands, and it was a leading factor in elections in several States. Then came in 1896 the unspeakable fallacy of 16 to 1. People soon came to learn the unsoundness of the theory of tying two metals together, metals which had an independent use beside that for coinage, and which as such were quoted in the markets of the world. In view of the fact that the leading nations of the earth had adopted the gold standard, the idea of the free and unlimited coinage of silver was a chimera. Who will defend it now? But for a period of six or eight years it had the advocacy of a very large mass of the voters of this country.

I might mention other delusions. But only one, perhaps, is necessary. That is the idea of the guaranty of bank deposits, which was advocated in 1908, a proposition not without merit if under proper limitation and management, but as then proposed, altogether objectionable. Yet it swept through the country, and when orators asked in meetings, "How many are in favor of a guaranty of bank deposits?" in an audience of thousands every hand would go up. Who believes in that now in the form in which it was advocated? And is it not only most probable but reasonably certain that some of the ideas which have been widely scattered in this recent campaign, after their overwhelming rejection by the vote of the people, will go into the dust heap as delusions which ought never to have received support?

The Republican majority in this House will fail to meet the expectations of the people unless in essentials there is unity of purpose and of action. Opinions which are advocated by individual Members must always receive careful consideration, but in final conclusions upon important questions of policy these should yield to the predominant sentiment of the majority. In no other way can those results be attained which are worthy of a party intrusted with the direction of affairs by the solemn mandate of the people.

The recent victory should not be celebrated by mere notes of triumph but with an abiding sense of responsibility. It is not a time for retrogressive conservatism. The Republican Party, in the future as well as in its splendid past, must still be an organization which keeps step with the progress of the age. There are imperfections to be removed and reforms to be adopted which must evoke constant attention and deliberate but decisive action. The accepted program should be fairness to all, special privilege to none [applause], harmony between the President and Congress, with a breadth of vision which shall afford comprehension of every perplexing problem, always realizing that more than the material progress, of which we are so proud, the development of the moral and intellectual forces which make for the betterment of all humanity will be the chiefest glory of the American name. It is with such aims and not merely for a party that we should labor, however important its control may be. We shall hope to aid in securing the permanence of this Republic and the preservation of its institutions so happily founded, and to do our part in a manner worthy of the future of the greatest of nations, the most prosperous and fortunate of peoples. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Ohio yields back 15 minutes.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. McKEOWN].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes. [Applause.]

Mr. McKEOWN. Mr. Chairman and gentlemen of the House, I do not rise in my place to make any remarks touching the questions discussed by the distinguished gentleman from Ohio [Mr. BURTON] who has so ably expressed his views touching the results of the late election. I am disappointed in that he did not discuss one of the vital issues upon which the campaign turned, so that in the future those of us who had such sad experiences with that question might be able to avoid it. I heard no reference to the effects of the Klan or the anti-Klan in this late campaign, and that is one of the things about which I was very much interested to hear. [Laughter.]

The distinguished gentleman discussed the question of bank guaranty of deposits. I take it, however, that a great many American citizens are still of the opinion some guaranty should be given in certain events, such as provided by Martin Van Buren while Governor of the State of New York, when he had the Legislature of New York place upon the statute books of that Empire State a provision that the earnings of laborers and the savings of the poor should be guaranteed by the banks of that Commonwealth. I am one who is still of the same opinion, be they National or State banks, that the savings of the workingman and of the poor ought to be guaranteed against loss. [Applause.]

Now, so much for that. I rise to talk about the Budget provision with reference to the improvement of the streets of Washington, the paving of the streets of Washington. I hope the Committee on Appropriations will hold up that item just long enough to give this Congress time in which to pass some traffic laws to regulate traffic in the District of Columbia and provide a chain gang for some of the drivers here, and we can then pave the streets with the chain gang without having to expend Uncle Sam's money.

You take it in the District of Columbia, where people come from every part of this country to visit the Capital, when a man crosses the borders of the District of Columbia he takes his life in his hands. Instead of paving these streets we ought to tear up some of the pavements that are already down, because those are the only kind of streets on which a pedestrian can walk across safely, the ones which are not paved, because the cars can not run so fast on those, and a man can save himself a little when he goes across.

Why, gentlemen, there are men in this House who have risen here and called the attention of the Congress time after time to the destruction of human life in the District of Columbia, but nothing has resulted. There was a case which occurred here that was very flagrant. A poor old colored charwoman, who used to work in the House Office Building, was ruthlessly killed in the very shadow of this Capitol, and yet that fellow, I am informed, has never been brought to trial in the District of Columbia. Is human life so cheap in this District that men full of corn liquor, running and operating cars, probably without permits or licenses, can go unchecked?

The city of Washington ought to have the best traffic arrangements of any city in the United States. It ought to have its proper lights, proper signals, and sufficient men to enforce the law. It needs mounted men who can go out and bring these fellows to justice.

We sit here oblivious to what is going on, although every morning, when you pick up your newspaper, somebody else was killed last night, somebody else was maimed and crippled. It would be a horrible sight for this Congress to sit by and see pass in procession the maimed and crippled in the District of Columbia for the lack of facilities and enforcement of the laws.

You need laws which will enable those who have the enforcement of the laws to have an opportunity to put a real punishment on these fellows. They put up a little deposit, and then they go their way and they do not come back. Of course, they will forfeit the little deposit they put up. You need a law in the District of Columbia making a jail sentence imperative and making it a felony to operate an automobile while under the influence of liquor. You need a law in the District of Columbia which will put these fellows out here in a chain gang and make them help build these streets. The humiliation of it will restrain such violations of the law.

Why, gentlemen, there is no greater menace to life anywhere than to let a fellow get a quart of this corn liquor under his belt, get in a high-powered machine, and operate it in the city of Washington. It is a most deadly machine, and I do not understand why the War Department and the Navy Department do not adopt it for war purposes if they want a heartless, death-dealing instrument for destruction of human life and limb.

Now, gentlemen, I am serious when I tell you that the lives of the people of Washington are in danger. Where is the man who can send his little child, his little girl or little boy, on a little errand out to the little corner store or over to a neighbor's house who does not sit with fear until that little child returns? It ought not to be, gentlemen, and we ought not to sit here day in and day out passing legislation—of course, that is important—and let this matter go without attention. I say we owe speedy action to the people of this District.

Mr. BLANTON. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLANTON. If the gentleman will investigate he will find that the taxicabs which shoot around corners at about 50 miles an hour are responsible for 90 per cent of the danger. Just watch these Black and White taxicabs, if you please, when you try to cross a street, even when you have the right of way, and you will find that they will shoot by you at 50 miles an hour, whether there is danger of overturning you or not. They ought to be denied the privileges of the streets of Washington until they instruct their drivers to pay greater attention to the traffic laws. [Applause.]

Mr. McKEOWN. Well, I take it, gentlemen, that the taxi driver is put on a commission on what he can make; he is probably working on a per cent basis, and that is what impels him to drive rapidly, because he is trying to get around and get as many returns as possible. But we ought to regulate that, as suggested by the gentleman from Texas [Mr. BLANTON].

Now, the police themselves have no protection in this city. They have no protection themselves. A man could beat up a policeman here and get away with a small fine. A policeman has no protection. We have no law here making it a felony, and it is the only city on earth where a policeman has to take his life in his hands and take what is coming to him when he goes out to enforce the law.

If some business man goes down town and violates the traffic rules and the policeman arrests him or undertakes to arrest him, the business man will say to him, "Give me your name and your number; I am going to see a Congressman and get your job." They also say, I do not know how true it is, that some Members of Congress sometimes get fretted and say they are going to get the policeman's job, who is simply trying to enforce the law.

I say now that we ought to at once pass a proper traffic law and give them some law to govern conditions, and let them fix proper penalties, and we should also provide for men in this city to protect the inhabitants and your constituents when they come here. Gentlemen, your constituents at least have the right to come to Washington to see the Capital, and a man ought not to be required to endanger his life and forfeit his life insurance simply because he wants to come here and see the Capital of the Nation. [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. O'CONNOR]. [Applause.]

Mr. O'CONNOR of Louisiana. Mr. Chairman and members of the committee, our colleague, Congressman RILEY WILSON of Louisiana, will in the near future introduce a bill providing for a survey of spillway sites on the Mississippi River above New Orleans. I understand that General Harry Taylor heartily approves the purpose of the proposed bill. As you know, General Taylor is the Chief of the Army Engineers. The lamented Ben Humphreys was for many years looked upon by the House of Representatives as the outstanding authority on the Mississippi River flood problem and its solution or the control of the floods which annually menace the people of the country lying for miles on both sides of the great river. But Ben is gone to the bourne from whence no traveler has ever returned. Since his departure Mr. WILSON has become the recognized authority upon flood control. He has probably given the subject as much thought as has been given to it by any other man in the country, and his remarks upon the Mississippi River are always worth hearing and recording. Congressman WILSON lives in north Louisiana, and his first concern naturally is the protection of his section and the property and lives of his constituents from the teriffic floods that annually endanger them by the erection, construction, and building of immense levees that are going up higher and higher from time to time. But in addition to his own immediate congressional interest in his constituency he is also tremendously interested, not only as a Louisianian but as a far-sighted, broad-visioned American statesman, in the flood perils that yearly threaten the city of New Orleans. Those who are competent to express an opinion believe, as a result of our enormous expenditures in levees or embankments, that we of the city are safe from inundation, overflow, or catastrophe through a break in the levee system which virtually surrounds New Orleans and which our people have endeavored to make as strong as walls of steel. But we desire to make assurance doubly sure and out of an abundance of precaution provide against any possible calamity which might cost millions of money and perhaps the lives of thousands of people. One thing we are sure of: We can not build our levees any higher in and around New Orleans nor in the lower reaches of the great river. We have reached the limit.

The foundation will not support any superstructure higher than we have there now. Hence our desire for something in addition to the levees we have. What is that something or things? Spillways, by-passes, waste weirs, and the like will give us the protection we need in the event that the Ohio, upper Mississippi, and the Missouri rise in flood at the same time. It was a similar natural condition or contingency as that just predicated—that is, a flood combination—that caused the great Paris flood a little over 12 years ago. Eternal vigilance is the price we must pay not only for liberty but for flood protection, and through that control the protection of perhaps millions of lives. It is said that the dwellers along the slopes of Vesuvius, Aetna, and other volcances always straggle back to their old homes when they can find them after every terrific volcanic outburst of fire and lava and then immediately apparently forget the trials, suffering, and vicissitudes they endured when they had to flee from their fields and homes. They do not even build the roads which would make easy an escape from the next eruption. Men employed in the great steel mills of the country and structural-iron workers become so familiar with the hazards and dangers of their occupation as to treat carelessly and indifferently risks that terrify those not engaged in these occupations. Visitors who first look at our great levees above New Orleans wonder at the courage of those who dwell behind them. Fittingly altered, the lines by Pope in regard to the change that comes over one's viewpoint of life as he daily has to witness vice and its operations, first shuddering at it and finally embracing it, might be given an appropriate application to the attitude of people who have become used to and familiar with some great danger. Carelessness will come unless the danger be constantly stressed and never lost sight of. As a result of a lack of care in providing for a proper dam across the South Fork, a small branch of the Connemaugh River, there was a flood which the American people will not soon forget. Ten millions of property was destroyed and twenty-two hundred and five lives were lost. In Grand View Cemetery sleep 777 of the unidentified dead of that awful horror. In the mad rush of waters as a result of a broken dam, houses were overturned, then caught fire, and as a consequence could not even be used as rafts.

May 31, 1889, will always be regarded in that section of the country as a day of horror. It will so be regarded in all parts of the country by those who happen to have their memories revived on the subject. It was a lack of preparedness by Galveston to meet a West Indian hurricane which swept over the island city on September 8, 1900, that caused the loss of 6,000 lives and $17,000,000 of property, sending a chill of horror to the hearts of the people of the whole country, and one which Texas, near the coast, will not forget for generations to come.

Inasmuch as we of New Orleans know the terrible consequences of a lack of preparedness and what might happen if we fail to keep watchmen on the towers night and day, we have gone the limit in spending our money for the purpose of protecting the lives and property of those intrusted to our care. We are now convinced that we need something more than the old levee system. The fox must sleep sometimes and the wild deer must rest, but we of the Crescent City and its environments can not sleep, can not rest, until we know that we have relief measures such as I have already enumerated. We are entitled to it; that is, to the relief we seek. Louisiana bears the brunt of the now uncontrolled flood drainage of some 27 States which drain into the Mississippi River. It is just as much a moral responsibility of the Federal Government to protect Louisiana from damage and concern caused by the flood drainage of other States as it would be to protect Louisiana from armed invasion from other States or another nation. Keep this in mind, Members of Congress: Every drop of water that falls from heaven in the way of rain and dew between the summit of the Alleghenies and that of the Rockies and every drop of water that springs from the ground in the great Mississippi Valley must pass the city of New Orleans on its way to the Gulf of Mexico, where it becomes a part of the great eternal inland sea. And not a drop of the gentle rain that falls from the heavens or the springs that gush from the ground in Louisiana but finds its way into the Gulf of Mexico through lakes, streams, and rivers which are not in any way tributary to the Mississippi. Our danger comes from the waters that rush down upon us from other lands than those of our own State.

I can not repeat too often: Relief works in Louisiana, such as spillways, by-passes, weirs, and the like supplementing the levees and bank revetments unquestionably can be made to protect Louisiana from the flood run-off of the drainage basin of the Mississippi River. I hope that the bill will be speedily passed and that the engineers charged with the study of making the surveys in accordance with the letter of the act will draw to their aid all available sources of information and make a comprehensive study of the entire local problem of flood control in Louisiana. This study should cover the Atchafalaya as a controlled outlet of the Mississippi, including the creation

of supplemental channel capacity for the relief of the Atchafalaya Basin with a cut-off to fully safeguard the Morgan City territory. It should include means by which silt-laden flood waters might be diverted under complete control to the plantations and to the marsh land, fertilizing and irrigating the one and filling the other. It should include small as well as large spillways, by-passes, and waste weirs. The water from many small relief works can be made to render a valuable service in addition to reducing flood levels in times of need. All of this, of course, has relation only to local relief works in Louisiana and under no circumstances should be confused with or involved by the larger problems of source-stream control and the utilization of now wasted waters for stream-flow regulation, for waterway improvement, for irrigation, and, incidentally, for power development, nor the related problems and projects of reforestation and the checking of soil erosion.

These larger problems may be met and solved by the passage of S. 3328, introduced by Senator RANSDELL. The bill is entitled and has for its purposes "the development of water resources, for electric power, agriculture, flood control, irrigation, and other purposes," and will, according to O. C. Merrill, the executive secretary of the Federal Water Power Commission, enable that commission with the authorization that it has presently to do all that might have been accomplished in this great direction through the Newlands bill. In the event that it be found that Mr. Merrill is mistaken about what can be accomplished by the Federal Water Power Commission in the way of solving our major problems when and after the Ransdell bill is passed, we will by sheer force of necessity and to permanently meet a situation which must inevitably be settled right move for the reenactment of the Newland bill.

I am sure that the National Flood Prevention and River Regulation Commission will gladly cooperate with Mr. WILSON and will stand squarely behind the engineers if the matter be approached and handled in a complete way. I do not want any frightful calamity to compel America to focus her attention on the necessity for a complete system of flood protection. We want her to awaken to the fact that it is folly almost inconceivable and a supidity unparalleled to allow, permit, and even hasten the flow of waters through the affluents, tributaries, and the Father of Waters itself within a relatively brief period thereby endangering the lives and property interests of hundreds of thousands of people. It is so clear that it is an utterly ruinous policy that permits the flood waters to run their way to the sea in less than six weeks' time instead of holding them in check and permitting the flow to gradually wind its way to the sea through more than 10 months of the year as to be beyond discussion. What disastrous consequences flow from the present lack of a scientific river policy? Great loss annually through destroyed property interests and great suffering by the people whose homes are menaced, if not actually ruined. I will not, my friends, permit myself to fall into the terrible rumination of what might happen, in view of a lack of proper dams and checks in the source streams, in the event that the Ohio, upper Mississippi River, and the Missouri were to rise at one and the same time, creating a flood condition that might spell a disaster which would stagger mankind for generations to come. We must reach the heart and brain of America through our engineering talent, the Safe River Committee of New Orleans, the Mississippi Valley Association, and kindred associations and show the wisdom of a system of dams and checks that will make for a conservation of our water in the Mississippi Valley and the wonderful navigation and commerce which would flow therefrom. Yes; I know America will, when the case is presented to her, understand that we must put folly behiud us, open our eyes to the truth of a situation that stares us frankly in the face, and correct by the proper relief works, which can and will be secured through a reenactment of the Newlands bill if necessary, the terrible waste of water and the danger that results from such waste, changing what is presently a liability so ghastly as to be a nightmare into an asset so rich and bountiful as to make easy the efforts of our people to create an empire of wealth in the Mississippi Valley. [Applause.]

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, that closes the time on my side.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE SECRETARY

SALARIES

Secretary of the Interior, $12,000; First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia in accordance with "the classification act of 1923," $302,835; in all, $314,835: *Provided*, That in expending appropriations or portions of appropriations, contained in this act, for the payment for personal services in the District of Columbia in accordance with "the classification act of 1923," the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by "the classification act of 1923," and is specifically authorized by other law.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is the first appropriation bill of this second session. When the attempt was first made in the last session to provide lump-sum appropriations in the appropriation bills for the present fiscal year I raised the question with the chairman of the Committee on Appropriations as to whether or not that was going to cease with the session that adjourned last June, and whether or not we could expect in succeeding years a return to the wise policy of having appropriations specified in particular in these bills. The gentleman indicated that it was necessary last year because the new classification had not been worked out. That excuse does not exist now. There is no excuse whatever for a continuation of the lump-sum policy, and it ought not to be permitted to exist any longer.

The 400 Members of Congress not on the Appropriations Committee ought to cause this to stop, and it ought not to be permitted to continue any longer. We have given wide powers to these 35 brethren of ours who compose the Appropriations Committee, and they owe it to us; they owe it to the membership of Congress; they owe it to the people of the country to specify the various amounts of expenses, so that the people may know how the money is being expended, where it goes, and into whose pockets it finally lodges. May I ask the distinguished gentleman from Michigan how much longer are we to expect this lump-sum practice to continue. In my experience in Congress for eight years I have heard several very distinguished members of the Appropriations Committee—and we have had some of the smartest men in the Nation on same—vigorously denounce lump-sum appropriations. If they denounce it and others denounce it, why should we allow it to continue? May I ask why we could not stop that now and specify in detail these various items?

Mr. CRAMTON. I shall be glad to make a statement if the gentleman will allow me. The gentleman from Texas has manifestly an erroneous impression of what was said last year by the chairman of the committee, Mr. MADDEN. I do not know the statement the gentleman from Texas refers to, but I do know that the gentleman from Illinois [Mr. MADDEN] could not have said anything that would have justified, properly construed, the impression which the gentleman from Texas has. The gentleman asks how long the present policy with reference to appropriations, which he erroneously termed lump-sum appropriations—how long it will continue. In my judgment it will necessarily continue until Congress abolishes the present reclassification law. It is a necessary adjunct, a necessary effect, of the reclassification act.

What was termed in years past as the lump-sum system is entirely different from that illustrated in the provisions of this bill. Under the law formerly there were two ways of fixing a salary. One was that termed the statutory roll which named the position and named the salary in the law, an absolutely inelastic situation. That took no account of merit or efficiency, made no provision whatever for promotion, and so forth, but one that most of us preferred because when we gave discretion to the head of the department it was nearly always abused.

The other system was the lump-sum appropriation. That is to say, Congress would appropriate $10,000 or $100,000 for a salary roll in a certain office, and it was entirely in the discretion of the head of that bureau or organization to fix the salaries in his discretion; unless, as sometimes we did, we put a limitation that no salary could be over a certain amount. But it was placing a lump sum of money at the disposal of the

department to be used in his discretion as a salary roll. As I said, we generally found favoritism. After many years it came to be a situation that the persons employed in bureaus that were getting their salary roll by the statutory roll were getting much less money for the same service than did similar people under the lump-sum appropriation doing the same character of work.

Mr. CARTER. Will the gentleman yield?

Mr. CRAMTON. I yield to my colleague.

Mr. CARTER. As a matter of fact, the reclassification act classifies all salaries?

Mr. CRAMTON. Yes; I was just coming to that. That was the two plans, the statutory roll and the lump-sum appropriation, and many of us had criticized the lump-sum appropriation in former years. Now, the reclassification act had two outstanding purposes; one was to give some opportunity for recognition and promotion in the light of experience. A man in the second year on a job is worth more than a man in the first year. It gives some opportunity for a promotion. Also, it equalizes the pay through the Government service, so that a man in the Pension Office doing a certain kind of work may, as he ought to have, the same pay that a man in the Veterans' Bureau has, doing the same kind of work.

Under the classification act a board has been set up to readjust the salaries so established. Now, when that comes to us, if in this bill we should do as the gentleman from Texas says he thinks we ought to do—that is, fix the salaries all the way through the bill—you would entirely nullify the reclassification act. As a matter of fact, the lump-sum system in the old days prevailed to the extent of 90 per cent of the positions. In the present system, although the gentleman gets the impression that this is a lump sum, still, as a matter of fact, it is not left to the discretion of the head of a bureau how the money shall be used and is not a lump sum in the sense the term was formerly used.

In this item, for instance, of $302,000 the Secretary of the Interior can not spend the money at his own sweet will, as was formerly the case with lump sums, but he must spend it in accordance with the terms of the classification act; and that act was not framed by the Committee on Appropriations, but by Congress, and it came from a legislative committee. Therefore we, as the servants of the House, are simply following the law.

Mr. BLANTON. Does the gentleman from Michigan mean to convey the impression that the Secretary, under this bill and under the classification act, has not the power to slide some pet employee from one class to another class, whereby the salary would be very materially raised, or to slide some other employee downward, where the salary would be lowered?

Mr. CRAMTON. I say that his expenditure of the money must be in accordance with the terms of the classification act.

Mr. BLANTON. But he does have the power that I have mentioned?

Mr. CRAMTON. The Personnel Classification Board passes on these matters, and his transfers, promotions, and increases, within the amount of money provided, are regulated by the terms of that law. If the gentleman from Texas thinks that gives too much discretion, then he should advocate an amendment of the law.

Mr. BLANTON. Then the gentleman from Michigan is no longer in favor of specific appropriations as against lump-sum appropriations?

Mr. CRAMTON. If my committee had come in here with this bill so drawn that each salary in it was named in the law, we would have displaced the classification act as to this department. In other words, we would then have overturned the existing law.

Mr. BLANTON. And henceforth, if I understand the gentleman, we may expect only just such lump-sum appropriations as are contained in this bill?

Mr. CRAMTON. So long as the House——

Mr. BLANTON. And the country stand for it?

Mr. CRAMTON. So long as the House and its committee follows the classification act. But, understand, they are not lump-sum appropriations, expendable at the discretion of the head of the bureau. They are expendable in accordance with the provisions of the law. The Budget carries an analysis of the roll, which the gentleman, of course, would have before him, the number of positions, each salary, and so forth.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CARTER. As a matter of fact, is not this the situation: Prior to the classification act we put in the bill so many clerks at $2,250, so many clerks at $2,000, so many clerks at $1,800, and so on.

Mr. CRAMTON. In some cases.

Mr. CARTER. In most cases. That is what the gentleman from Texas [Mr. BLANTON] is distinguishing as not being lump-sum appropriations. The reason for this change, as the gentleman from Texas ought to know if he would examine the law, is that the law already provides for that, and he would be only repeating the law if we put it in the bill.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WINGO. Mr. Chairman, I think my friend from Texas [Mr. BLANTON] is not as mentally alert as usual. He asks why this method of appropriation, and protests against it, and asks how long it is going to continue. It is rather difficult to answer his questions, and while I had intended at some later date to make a few observations on the situation, I believe I shall ramble around for a few moments now, and perhaps from what I shall have to say he can catch the explanation and the answer to his question.

We are living under that beautiful and perfectly ideal system of government called a bureaucratic budget government. Everybody is for the Budget, of course, just as everybody is for tax reduction. The question is the method to be used. That is where the disputes come in. As the gentleman from Michigan [Mr. CRAMTON] has explained, the classification act provides for these different groups, different grades, and different employees. While the gentleman from Texas [Mr. BLANTON] was down in Texas, and while I was down in Arkansas, and the rest were at home, the ordinary duties that Congress was intended to perform, contemplated by the founders of the Government, were being performed by the Budget Bureau. I am not attacking the Budget Bureau; I have great respect for it; I understand they are very efficient; but they were doing what Congress was supposed to do. They were holding hearings as in the old days Congress used to hold them, to ascertain the needs of the Government, and decide how much the people would expend on their governmental activities. Of course, that relieves Congress of not only the privilege but the burden of discharging that duty. The result is that you see very few Members present here today. This is a great bill carrying a very large appropriation. The gentleman from Michigan [Mr. CRAMTON] has given the only reason he can give. He says to the gentleman from Texas [Mr. BLANTON], "Go and look at the Budget estimates; you have it before you, and it will tell you."

Mr. Chairman, we legislative birds, sitting in the legislative nest, just open our mouths and we must take whatever worm of appropriation is thrust down our throats, and after having set up this Budget Bureau, after having waived our rights, it ill becomes us to make any complaint. We can not kick against the pricks, because we deliberately set up the Budget. Then we went furthef. We so framed the rules of this House that it is practically beyond the power of any individual Member to get the judgment of the House on any particular proposal, unless it has been first passed on by the lords of the Budget. The people are back of that plan. Do not fool yourself by thinking that they are not.

There are two conflicting theories of government abroad in the land, not the old theory that was established originally. You have one group that cries, "We want to curb the courts," and in the last campaign a great many people were scared to death because they were afraid that if LA FOLLETTE were elected he would abolish the Supreme Court overnight, and that we would have this Congress here passing upon and reviewing every case that the Supreme Court decided. Then the people had been told by deliberate propaganda for years that Congress does not have enough capacity to do what a parliamentary body is supposed to do in a system of government like ours, namely, attend to the public business and appropriate the public money, and that we had to set up an organization to tell us how to do it. The public naturally recoiled at the mere suggestion of such a body reviewing judicial decisions. Then there is another group, and I think so far as the perpetuity of our free institutions is concerned they are the more vicious. They continually fill the papers each day, and public speakers each day reiterate them, with contemptuous references to Congress. Every little whipper-snapper, who licks the feet of privilege, continuously snarls and snaps and speaks contemptuously of Congress, and they have convinced the American people, or the great majority of them, that 434 out of 435 Members of this House are incompetent and inefficient and can not discharge the duties for which this House was established under the Constitution.

They believe that each one of their individual Congressmen is all right, but they believe the Congress as a whole is in-

competent, and to-day when it is suggested it may be necessary to have a special session of the Congress people hold up their hands and say, "My God, have we got to be afflicted with that evil?" Why do they do that? Because of this propaganda that seeks to destroy parliamentary government, this propaganda that applies itself to the dislodging of the keystone of Anglo-Saxon government——

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. I ask to continue for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Why, this propaganda that knocks out the keystone of Anglo-Saxon government—that is, that Congress shall control the purse strings—and leads the American people to believe that a bureaucratic government is more efficient, that it is better for the public welfare, that we must put up with the Congress because, forsooth, it is a constitutional body—that we are elected, and hence you can not get rid of us; but let us put up with it as little as we can. The gentleman from Texas asks how long it is to continue. If the gentleman will read the history of this body he will find that one appropriation committee during one period of this Nation was bitterly denounced as being vicious, and it was heralded as a great reform when we adopted the present system of distributing the powers to several appropriating committees. But now you have swung away from that which was once heralded as a great evil when abolished and you have brought back to-day an evil of that day as a virtue of the present day. Sooner or later the American people will swing back to constitutional government.

They will hold the Members of the House of Representatives responsible, they will believe that we are capable of determining how much of their money shall be expended for the Interior Department, for the Agricultural Department, and other activities of the Government. But, gentlemen, do not flatter yourself that the people of this country believe that at this time. They think that the safety and the economic administration of governmental affairs require this House to surrender its constitutional privileges; and gentlemen who are trained, and very well trained, the Budget Bureau, must go through the arduous task of having hearings to determine how much we shall spend, and the "King comes down to the Commons," as he did the other day, and says, "I submit to you the Budget; keep within that. I have told you how much, now keep within it." Does the Congress hold the purse strings? That power in practice is nothing but a tradition to-day, and I say to the gentleman from Texas that he might just as well exercise a little more patience, save a little more of his valuable time, and console himself with the Biblical injunction not to kick against the pricks. The people believe in a dictatorial bureaucratic government at the present time, I will say to my friend, and they are not going to insist this year or next year on a return to the old constitutional system of government of three separate and coordinate branches. The legislative branch is at a low ebb in the estimation and confidence of the American people at this time. When the gentleman asks for an itemized appropriation bill it is not left to his judgment or to mine.

In a few months you are going to pass two or three or four billions of dollars' worth of appropriations. The only hope for economy that the taxpayer has is that the Budget has done its duty well. And God pity the poor devil who lays his sacrilegious hand upon that Budget! The public will feel like laying its crushing hand on him at this hour. I repeat to the gentleman from Texas the Biblical injunction not to kick against the pricks. [Applause.]

Mr. BLANTON. Mr. Chairman, I move to strike out the pro forma amendment.

The CHAIRMAN. The pro forma amendment has been withdrawn.

Mr. BLANTON. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, the gentleman from Michigan [Mr. CRAMTON] can not dismiss this issue with a wave of his hand. This is an important question, this matter of spending $4,000,000,000 a year of the people's money in lump-sum appropriations. In this bill we are turning over to the Secretary of the Interior $238,240,926. That is a big sum of money. Why should you specify his salary in detail at $12,000 a year and then put practically all the balance of this enormous amount in lump sums?

Mr. CRAMTON. I will answer the gentleman. This is a statutory salary.

Mr. BLANTON. The others ought to be statutory, too.

Mr. CRAMTON. That has a limit.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. CARTER. Did the gentleman vote for the classification act?

Mr. BLANTON. I did not. I remember that I fought numerous features of it.

Mr. CARTER. I thought the gentleman did vote for it. Now he is asking this committee to violate it.

Mr. BLANTON. I did not vote for it. But I voted for the Budget and supported it heartily. I am for the Budget. With very few exceptions, I have never voted to enlarge items recommended by the Budget. You can look back into the record and see that "the gentleman from Texas" has supported the Budget and supported the committee on practically every item in the appropriation bills; that is, as to keeping them within the limit of the Budget.

But, for instance, take the General Land Office in this bill. This bill permits the Commissioner of the General Land Office to spend $805,000 and gives it to him in a lump sum. We ought to direct that commissioner just exactly how to spend that $805,000. And the Congress of the Nation ought to direct the Secretary of the Interior just how he should spend this enormous sum of $238,000,000, if you please.

Now, I know that these positions are provided for in a general way under the classification act, but I also know, as the gentleman from Michigan knows and as every one of these 35 members of the Committee on Appropriations knows, that every head of a department has the right and has the power of sliding these employees up or down. He can slide pets upward and increase their salaries, or he can slide them downward at will and decrease their salaries. We ought not to give him that power. There are pets in many departments; there are pets in the bureaus. There are pets among the personnel of employees in the commissions of Government. We, the Representatives of the people, ought to specify in every one of these bills just how much money shall be spent for each particular purpose stated in the bill. We ought to give a certain sum of money for the support of a department and then specify how that sum shall be expended. As it is, they can expend the money for all the purposes described in the bill or for only a few of them, or they could expend all, if they saw fit, for one particular item enumerated under the lump sum.

I am not strong enough in this Congress to stop that lump-sum policy of appropriations, or I would do it. The friends of mine who believe as I do on this question, and who believe it ought to be stopped, are not strong enough to stop it. Otherwise they would do it. This is the most important question that the Congress has to deal with, I will say to my colleague from Arkansas [Mr. WINGO], for it is the main avenue through which waste is incurred and public money dissipated, and it ought to be stopped.

Mr. BYRNS of Tennessee. Mr. Chairman, I have always listened to the gentleman from Arkansas with great pleasure and interest, and usually I agree with him; but I must take sharp issue with him in his statement that in adopting the Budget system Congress has surrendered some of its functions. The gentlemen present who were here before the Budget bill was enacted will recall the slipshod, haphazard manner in which estimates were always sent to Congress. Rarely did anyone in the various departments give them any serious or careful consideration. During those years it was the custom of bureau chiefs and others who were at the head of various activities of the Government to ask Congress for really more than they expected to receive, for really more than many of them, as I happen to know, felt that they needed, on the theory that if they did not ask for a large amount they might not get what they actually needed.

I think the country is to be congratulated upon the fact that we now have an orderly system in submitting estimates to the Congress. I think the country is to be congratulated upon the fact that the Director of the Budget holds hearings upon these estimates before they are sent to Congress, and endeavors to ascertain whether or not the estimates submitted for our consideration represent what is needed by the departments and no more than is needed by the departments. That does not prevent Congress from taking such action as it pleases upon the estimates after they are submitted; and I submit this volume of hearings on this particular bill as evidence of the fact that Congress and the Committee on Appropriations have not abandoned their former practice of very closely investigating these estimates after they come forward.

These are the hearings conducted by the subcommittee presided over by the gentleman from Michigan [Mr. CRAMTON], and they consist, as the gentleman from Colorado [Mr. TAYLOR], himself a member of the subcommittee, suggests, of a thousand pages which shows that the Committee on Appropriations is just as diligent to-day in its effort to ascertain any incorrectness that may exist with respect to the estimates as it was before the Budget system was adopted.

I think, gentlemen, we took a very long step, not only toward economy but toward orderly procedure, when the Budget law was passed, and it is a mystery to me that years ago this great Government of ours spending, as it has for the last 10 or 15 years, more than $1,000,000,000 per year, and spending to-day between $3,000,000,000 and $4,000,000,000 a year, did not adopt this system, which has been the practice of all up-to-date and prosperous business concerns during all these years.

As a fact tending to show that the Budget system is approved by the people of this country, every progressive State in this Union has adopted a budget system, and the same is true of almost every municipality of any size or of any importance in this country. It is saving the people of this country millions of dollars. Appropriations are now made in a more business-like way and with some regard to the amount of income.

I was unwilling to keep my seat after the statement by the gentleman from Arkansas [Mr. WINGO] that in the adoption of this Budget system Congress had abandoned some of its prerogatives or any of its privileges. You have the right to increase the estimates any time you please, and if a majority of this House feels that the estimates are not large enough for any particular purpose, there is nothing to prevent a majority of this House from so saying and from providing a greater appropriation; neither is there anything to prevent a majority of this House from reducing any estimate that may be submitted by the Budget or that may be recommended by the Committee on Appropriations.

Now, in so far as lump-sum appropriations are concerned, let me say this, very briefly——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, may I have three minutes more?

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Let me say this: I have always opposed lump-sum appropriations. I have always felt that if we could believe—and I am not bringing any wholesale indictment—that the head of every bureau and every governmental activity would act with the same diligence and economy with respect to public appropriations as the heads of private concerns would do, then, possibly, it would be to the best interests of the Government and the taxpayers to have lump-sum appropriations. But, just as the gentleman from Texas [Mr. BLANTON] has said, we know perfectly well that frequently, in view of influences brought to bear and frequently for reasons which do not subject those at the head of bureaus to particular criticism, there is favoritism practiced, and for that reason I have always felt we ought not to have lump-sum appropriations. But, gentlemen, Congress passed the reclassification act a year or two ago. I did not vote for it. I opposed it upon the floor of this House, following the leadership of the gentleman from Indiana [Mr. WOOD], who was opposing it at that time. But Congress passed the reclassification act and provided in that act that there should be a rating of efficiency twice a year, in November and in May, and that those who had made a sufficient efficiency rating to pass from one class to another should receive a higher salary. Now, in view of the fact that Congress, in its judgment, by an overwhelming majority, passed that reclassification act, if you do not appropriate lump sums, as we appropriate them here, then you can not possibly carry out that law, because we make this appropriation to begin next July.

The money which we appropriate now will not be expended until after next July, and the result is that if in November or in the following May of that fiscal year clerks in the departments here are given higher ratings and are therefore entitled under the law as passed by Congress to an increase in salary of $60 or $100, they can not get such increase unless we give some leeway.

The committee has proposed—and I dare say the gentleman from Michigan [Mr. CRAMTON] has discussed them or will do so—some limitations with reference to the amounts of salaries and promotions that may be made. In other words, we have endeavored to hedge this around in every way we possibly could in order to prevent the display of such favoritism as has been shown in the past year in increasing those who are higher up to the maximum and then saying to the clerks, "We have not enough money to give you the promotions to which you are justly and legally entitled." This was what I anticipated when the act was passed, as I took occasion to say at that time. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that debate on this paragraph close in five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that debate on this paragraph close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STENGLE. Mr. Chairman, reserving the right to object, if it is not too late to be recognized—I looked that way, but the Chair was busily engaged.

The CHAIRMAN. If the gentleman was trying to object and was on his feet, the Chair will recognize him for that purpose.

Mr. STENGLE. I only want to ask that the time be made 10 minutes instead of 5.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the previous order be vacated and that the time be made 10 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the previous order be vacated and the time be made 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HASTINGS. Mr. Chairman, inasmuch as this is the first appropriation bill we have had up for consideration and inasmuch as the discussion has taken a rather wide range, emphasizing the necessity of economy in public expenditures, I thought it might be well for me to invite attention to a constitutional amendment which I have introduced and which is pending before the Judiciary Committee, an amendment which I think would greatly aid economy in making appropriations.

I am in favor of the budget system and I voted for it. I made a speech in favor of it when the first bill was up for consideration. After the adoption of the system I was one of the 14 new Members added to the Committee on Appropriations. I am not sufficiently familiar with the details of the reclassification act to say whether I favor it in its entirety or not, but in view of the fact that it has passed and has already become a law, I do not see the evils in lump-sum appropriations which I formerly entertained. This act fixes the salaries of employees in the various classes, and no economy would result in having them reenumerated in each appropriation bill.

But I want to discuss a constitutional amendment which I have proposed pending before the Judiciary Committee. In brief, it gives the President of the United States the right to veto separate items in appropriation bills.

I introduced a similar amendment some three or four years ago. I was diligent enough to send it to the governors of every State in the United States for constructive criticism and report. I do not now recall an adverse criticism. I believe that the replies received from some three-fourths, or, perhaps, a larger percentage of the governors of the various States, all favored it.

In almost every new constitution that has been adopted in the last 10 or 15 years by the various States a similar provision has been embodied. We have such a provision in the constitution of the State of Oklahoma. If such a provision is wise in a State constitution, why not adopt it as an amendment to the Constitution of the United States?

What would have been the practical effect if the President had had that constitutional power when the second deficiency appropriation bill came up for consideration on June 7 last?

Instead of its being held up, to force the incorporation of certain objectionable amendments, it could have been permitted to pass both Houses. It would have gone to the President of the United States. He would have exercised his constitutional right and could have vetoed any item of that appropriation bill that he thought ought not to have been incorporated in it. This would have saved the meritorious items and the Government from much embarrassment.

I have never heard of any legitimate objection raised to this proposed amendment. None was presented in any reply, as I said a moment ago, from the governors of any of the

States of the Union. The only objection I have ever heard from any Member is on account of a reluctance to amend the Constitution. If it is a good amendment, if it is a wholesome amendment, if it is one that is looking toward economy in the expenditure of public funds, I do not regard that as any valid objection at all.

Mr. DENISON. Will the gentleman yield?

Mr. HASTINGS. I yield.

Mr. DENISON. It has been the custom here for some time to put legislative riders upon appropriation bills. Under the gentleman's proposed amendment, would the President be given an opportunity to veto such riders?

Mr. HASTINGS. If it embodied an appropriation, yes.

Mr. DENISON. Then does not the gentleman think it ought to be broader than that?

Mr. HASTINGS. I am perfectly willing to have it broadened if necessary to cover separate independent items which may be added as amendments, but under the provisions of the bill as drawn it would only apply to appropriation bills or to separate items on appropriation bills. A former governor of my State suggested that the power to reduce any appropriation be given the President by vetoing the excess.

Mr. CARTER. And the gentleman would not have it apply to anything but appropriation bills.

Mr. HASTINGS. It would apply only to appropriation bills. It would be in the interest of economy and would prevent the log rolling so severely criticised by the chairman of the subcommittee.

The proposed amendment is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

Amend section 7, Article I, of the Constitution of the United States by adding the following paragraph at the end of said section:

"Every bill which shall have passed the House of Representatives and the Senate making appropriations of money embracing distinct items shall before it becomes a law be presented to the President of the United States; if he approves, he shall sign it, but if he disapproves the bill or any item or appropriation therein contained, he shall communicate such disapproval, with his reasons therefor, to the House in which the bill shall have originated. All items not disapproved shall have the force and effect of law according to the original provision of the bill. Any item or items so disapproved shall be void, unless repassed by a two-thirds vote, according to the rules and limitations prescribed in section 7, Article I, in reference to other bills."

From a careful reading of the proposed amendment you will observe it gives the President the power to disapprove the bill or any item or appropriation therein contained. If the word "item" is not broad enough to include a legislative rider on an appropriation bill, the power should be given. The veto power should not extend to separate items of legislative bills for the obvious reason that by the use of it vetoing and striking out certain provisions or sections the entire meaning and intent of the bill might be changed.

In my judgment the adoption of this amendment would be a long step in the right direction to enable the President to check extravagance in appropriations. Many doubtful items in the closing hours of Congress find their way upon general appropriation bills and can not be eliminated without vetoing the entire bill and necessitating the reconvening of Congress. No President would want to take the responsibility of doing this. There is no reason why the President should not be given the authority to veto any separate piece of legislation on appropriation bills. If such authority were given him the vicious practice of placing legislative riders on appropriation bills would be stopped. The President can not add any item. He can not increase the sum appropriated, and it would necessarily result in reducing public expenditures. If any item were increased above that submitted in the Budget, or a new item added, it would be closely scrutinized, and if not justified would be subject to a veto, and the power given to veto separate items would have a wholesome effect in discouraging the offering of questionable amendments in making appropriations for local purposes.

Everyone is interested in tax reduction and the surest way to reduce taxes is to see to it that only appropriations are made for the necessary and legitimate expenses of the Government. [Applause.]

Mr. STENGLE. I rise, Mr. Chairman, for the purpose of asking a few questions in order that I may obtain some information. This is the first appropriation bill that we have had before us this session, and I take it that the words I find here, like the last session, will appear in every bill that we have for every department this year, and I refer especially to those words on page 3, at the latter end of this first paragraph, "when such higher rate is permitted by 'the classification act of 1923.'"

Last year when we had these bills before us I suppose I became what, in some opinions, might be called a human nuisance by interfering and injecting questions on the great problem of reclassification. I did not do it to embarrass the Members of the House. I did not do it because I wanted to interfere with the orderly procedure of committee work having to do with the appropriations in this House, but because I knew then, as I am firmly convinced now, that the matter was being handled by some people who did not know what real, honest-to-goodness reclassification meant, or they were being misled by those who are not fools but rather knaves in an endeavor to fatten and feast the higher-ups at the expense of the lower-downs—the rank and file of the public service.

I asked then if we were to be asked from time to time to vote these large lump-sum appropriations to departments and permit the distribution of these large sums without regard to any particular procedure, and I pointed out that in New York, a city as large as we have in this country, at the beginning of the year—yes, six months before that—every cent of every dollar that is to be spent has to be in black and white and every individual knows exactly where the money goes. I was told then that that was only because it was a hurry-up job for that year; it was a new law and we did not have time. We come back this year and we find the same old bugaboo—lump-sum appropriations.

I would like to ask some one of that committee, Are we to have no direct code lines for appropriations in this year's Budget? Are we to continue to "lump sum" by the millions and permit the heads of bureaus, as has been the case in this city, to obtain as high as 50 to 75 per cent increases and the poor man or woman in the lower ranks of clerical service to get nothing out of the lump sum? If that is the case, I am against the bill. If you are going to be square with the under dog I will go along with you. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For contingent expenses of the office of the Secretary and the bureaus, offices, and buildings of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, street car fares not exceeding $250, and expressage; examination of estimates for appropriations in the field for any bureau, office, or service of the department; not exceeding $500 shall be available for the payment of damages caused to private property by department motor vehicles, exclusive of those operated by the Government fuel yards; purchase and exchange of motor trucks, motor cycles, and bicycles, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks, motor cycles, and bicycles, to be used only for official purposes; diagrams, awnings, filing and labor-saving devices; constructing model and other cases and furniture; postage stamps to prepay postage on matter addressed to Postal Union countries and for special-delivery stamps for use in the United States; expense of taking testimony and preparing the same, in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; not exceeding $450 for the purchase of newspapers, notwithstanding the provisions of section 192 of the Revised Statutes of the United States; and other absolutely necessary expenses not hereinbefore provided for, including traveling expenses, fuel and lights, typewriting and labor-saving machines, $76,000.

Mr. BLACK of Texas. Mr. Chairman, I want to say just a few words about this lump-sum appropriation matter. The gentleman from Tennessee [Mr. BYRNS] has correctly interpreted the situation, and that is that all Government employees under the civil service now have their salaries fixed by law, and a department head can not under a lump-sum appropriation fix any salary that might suit his fancy or his whim.

I have listened several times to the able gentleman from New York [Mr. STENGLE], and I do not agree that he has brought to the attention of the House any unusual situation. When we had the reclassification bill up for enactment, the gentleman from New York was not here, I am sorry to say. I took occasion to point out at that time that the salary schedules applying to the professional service were much higher in proportion than those applying to the clerical grades and department em-

ployees generally, and I offered a series of amendments to bring about a better equality in this situation, and they were adopted by the House but not accepted by the Senate.

The fault is not with the Reclassification Commission—at least that is my opinion. Whatever fault there is is in the law. Now, in further illustration of this lump-sum controversy, let us take the postal appropriation bill at the last session, and I merely refer to the one of the last session of Congress because it is the most recent one; it appropriates, for example, for letter carriers in the City Delivery Service $87,398,000. That is all it says about it. According to the argument made by the gentleman from Texas [Mr. BLANTON] and the gentleman from New York [Mr. STENGLE], we have left open an avenue there for waste and extravagance. We have turned over to the Post Office Department nearly a hundred million dollars, according to their statement, to spend as they please. However, such an assumption is entirely incorrect. Every employee in the City Delivery Service has his salary fixed by law, and it is beyond the power of the Postmaster General, it is beyond the power of the First Assistant Postmaster General, to increase or reduce these salaries.

Mr. STENGLE. Will the gentleman yield?

Mr. BLACK of Texas. Certainly.

Mr. STENGLE. Is it the contention of the gentleman from Texas that the classification act of 1923 covers the letter carriers' service?

Mr. BLACK of Texas. The gentleman from New York must know that I make no such contention. I was citing this illustration merely because every employee in the Postal Service is covered by the postal reclassification act of 1920. That is a separate act, but no different in principle from the classification act of 1923. If the gentleman from New York has any fault to find, let him find it with the act, because these officials, while they are clothed with an administrative discretion in making promotions to grades, according to a certain standard of efficiency, they are absolutely bound as to salaries by the letter of the law. Of course, if the gentleman from New York, or any other Member of Congress, knows of any acts of maladministration of the reclassification act by department heads, it is perfectly proper to cite them and criticize them. But the method of the committee in making the appropriation is in harmony with the law, and it was to that point that I have intended to direct my remarks.

The pro forma amendment was withdrawn.

The Clerk read as follows:

The office of surveyor general is hereby abolished, effective July 1, 1925, and the administration of all activities theretofore in charge of surveyors general, including the necessary personnel, all records, furniture, and other equipment, and all supplies of their respective offices, are hereby transferred to and consolidated with the Field Surveying Service, under the jurisdiction of the United States Supervisor of Surveys, who shall hereafter administer same in association with the surveying operations in his charge and under such regulations as the Secretary of the Interior may provide.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Michigan if he is going to move to strike out this paragraph?

Mr. CRAMTON. What paragraph does the gentleman refer to?

Mr. RAKER. The paragraph at the bottom of page 9 and the top of page 10 with reference to the abolition of the office of surveyor general. It was stricken out last year, and I did not know but that the gentleman would move to strike it out this year.

Mr. CRAMTON. The provision for the surveyor general has been carried many years. This particular provision has not been carried before, but the committee is very much in favor of it, and I would not care to have it stricken out.

Mr. RAKER. I was wondering whether the gentlemen from States where the surveyors general are located would not make some move.

Mr. CRAMTON. I do not know how much the gentleman from California agrees with us, but the committee has troubles enough without going outside to look for any. [Laughter.]

Mr. RAKER. There is a good deal in that.

Mr. LEATHERWOOD. Mr. Chairman, I would like to inquire of the gentleman in charge of the bill as to the practical effect if this provision should be adopted by the Congress; in case of surveys for mining patents where will the business be transacted if you abolish the office of surveyor general?

Mr. CRAMTON. The purpose of the department in making the recommendation for the abolition of the office of surveyor general is not to make any change in the transaction of the work that has been heretofore carried on under the office, except to consolidate it with the field service. The effect of the paragraph that has just been read would be to abolish certain positions of a political nature, but the work carried on by them, in so far as they have any duties remaining, would be merely transferred to the field survey service, carried on in an office in the same town where it is now carried on, but a unified consolidated service with increased efficiency and greater economy.

Mr. LEATHERWOOD. Would the office have a head that could sign a plat after the survey had been completed?

Mr. CRAMTON. The duty would be transferred to the office of the field service survey, and I assume the man in charge of that office would have the authority which the gentleman from Utah speaks of.

Mr. LEATHERWOOD. Does it contemplate the transfer of the present officers to other points?

Mr. CRAMTON. It does not. Mr. Bond, chief clerk of the Land Office, and Governor Spry, Commissioner General of the Land Office, assured us that there was no transfer of that kind contemplated—certainly no intention of bringing them to Washington. Nearly every town, and possibly every place where there is a surveyor general located, there are headquarters maintained for field service. That duplication is to be eliminated. All the details are to be passed upon by the Secretary of the Interior, but that has not been done yet.

Mr. LEATHERWOOD. Does the Commissioner of the Land Office recommend the passage of this paragraph in the bill?

Mr. CRAMTON. Yes; it originated in the Land Office.

Mr. SMITH. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. SMITH. Under existing law certain duties are imposed on the surveyor general, but you make no provision in the bill for the transfer of those specific duties to any other officer.

Mr. CRAMTON. I assume that the General Land Office is familiar with all of these technical points, and we have accepted their judgment with reference to it. When the office was created the survey of public lands was entirely a matter of contract, and the only representative in the field with reference to the subject was the surveyor general.

Since 1910 we are doing the work ourselves, and none of it through contract, and since 1910, therefore, most of the importance of the position of surveyor general has been done away with. We have been developing and expanding the field surveying service. As to the technical point as to just what authority the field surveying service has as to some particular matters, I have no knowledge, and I have accepted the judgment of the Land Office with reference to that.

The Clerk read as follows:

Registers: For salaries and commissions of registers of district land offices, at not exceeding $3,000 per annum each, $125,000: *Provided*, That the offices of register and receiver of such of the following land offices as may now have two officials shall be consolidated, effective July 1, 1925, and the applicable provisions of the act approved October 28, 1921, shall be followed in effecting such consolidations: Montgomery, Ala.; Anchorage, Fairbanks, and Nome, Alaska; Phoenix, Ariz.; Little Rock, Ark.; Los Angeles, Sacramento, San Francisco, and Visalia, Calif.; Denver, Glenwood Springs, Montrose, and Pueblo, Colo.; Gainesville, Fla.; Boise and Lewiston, Idaho; Baton Rouge, La.; Marquette, Mich.; Cass Lake, Minn.; Havre, Helena, Miles City, and Missoula, Mont.; Lincoln, Nebr.; Carson City, Nev.; Las Cruces, Roswell, and Sante Fe, N. Mex.; Bismarck, N. Dak.; Guthrie, Okla.; Lakeview, Portland, Roseburg, The Dalles, and Vale, Oreg.; Pierre and Rapid City, S. Dak.; Salt Lake City, Utah; Seattle and Spokane, Wash.; and Buffalo, Douglas, Evanston, and Lander, Wyo.: *Provided further*, That the following land offices are hereby abolished, effective July 1, 1925: Harrison, Ark.; El Centro, Eureka, Independence, and Susanville, Calif.; Del Norte, Durango, Lamar, Leadville, and Sterling, Colo.; Blackfoot, Coeur d'Alene, and Hailey, Idaho; Topeka, Kans.; Crookston and Duluth, Minn.; Jackson, Miss.; Billings, Bozeman, Glasgow, Great Falls, Kalispell, and Lewistown, Mont.; Alliance, Nebr.; Elko, Nev.; Clayton and Fort Sumner, N. Mex.; Dickinson, N. Dak.; Burns and La Grande, Oreg.; Bellefourche, S. Dak.; Vernal, Utah; Vancouver, Walla Walla, Waterville, and Yakima, Wash.; Wausau, Wis.; Cheyenne and Newcastle, Wyo., and their necessary personnel, together with such records, furniture, and supplies as may be necessary, shall be transferred to such of the land offices enumerated above and not abolished by this act as the Secretary of the Interior may direct, except that the records of the Topeka, Kans.; Jackson, Miss., and Wausau, Wis., land offices shall be disposed of in accordance with existing law.

Mr. SINNOTT, Mr. CRAMTON, and others rose.

Mr. RAKER. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. CRAMTON. Mr. Chairman, I rise to ask unanimous consent that debate upon this may be limited to such time as seems only necessary.

Mr. SINNOTT. Mr. Chairman, I have an amendment that I desire to offer.

The CHAIRMAN. The gentleman from California reserves the point of order.

Mr. CARTER. Let us first settle the point of order.

Mr. CRAMTON. We would like to have that settled.

Mr. BLANTON. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from California must make the point of order.

Mr. RAKER. Mr. Chairman, the point of order is that that part of the paragraph commencing on line 10, page 12, with the words "provided further," down to the end of line 4 on page 13 is new legislation on an appropriation bill and therefore is subject to the point of order.

Mr. CRAMTON. Mr. Chairman, if the Chair desires to hear me on that, the paragraph is a retrenchment, a reduction of expenditures of something over $160,000, as becomes apparent, and is therefore justified under the Holman rule.

Mr. BLANTON. And, Mr. Chairman, the point of order is not well taken for the further reason that we have just recently passed a provision in the bill which abolishes the office of surveyor general, and this follows that provision. That provision having been passed in the bill without objection, without the point of order being made against it, without a motion to strike it out, then this is in accordance with the bill, and, as stated by the gentleman from Michigan [Mr. CRAMTON], it would come within the Holman rule. Even if it were legislation, it is not subject to the point of order because it is a retrenchment of expenditures. Certainly the abolishment of offices and the consolidation of other offices ought to be held to be a retrenchment of expenditures.

Mr. RAKER. Mr. Chairman, of course the suggestion of the gentleman from Texas [Mr. BLANTON] that we have passed an item that might have been stricken by a point of order, is quite out of place. He does not argue that seriously. As to the other point, there are some close decisions.

Is it possible that the Committee on Appropriations can abolish all public offices by a provision put on an appropriation bill, without an opportunity to be heard before a committee or otherwise, under what is claimed to be the Holman rule, because there is retrenchment of expenditures? It does not seem to me that that is the intention of that rule, especially after we have now the stringent provision adopted two years ago that no legislation even from the Senate can be placed on an appropriation bill without an opportunity on the part of the House to be heard. Can we simply abolish these offices now and have the work go to some other office to be done there, it may be, at a cost of two or three times as much? Clearly one must not forget the general provision that we can not have new legislation on an appropriation bill by a wholesale act abolishing the offices, and if you can abolish these offices and what the gentleman is contending be upheld, then you can abolish every office for which the committee might appropriate, without any opportunity for any of us to be heard before the committee or in any other way. Clearly this is not a case where there is some obvious reduction. There is nothing there to show but that the expenditures will be twice as much as they are now, and sometimes they will be as much as that. It seems to me that the Holman rule ought not to be enforced in a case of this kind.

Mr. CRAMTON. Mr. Chairman, the paragraph about which a question has been raised as compared with existing law does away with several offices, with the receivers of the land offices, first. Heretofore, at each land office, or most of them, there has been authorized a receiver and a register, and the current appropriation carries money for the receivers as well as the registers. The item before us appropriates alone for registers, and that is the first retrenchment. In the next place, the item proposes certain consolidations which are enumerated, but which I think are not involved in this point of order. As I understand it, the point of order is especially directed to the last proviso, that certain-named offices are hereby abolished, beginning July 1, 1925, which is the beginning of the next fiscal year. In the current appropriation for this item there was carried a sum, based on the salaries of the officers provided for, of $315,000. There was an item with reference to the contingent fund for care and other expenses, and that in the current year amounted to $415,000.

Those were the only paragraphs in the bill that carried expenditures for these land offices. The pending paragraph reduces the appropriation to pay the salaries from $315,000 to $125,000. In the next paragraph an economy becomes apparent. That is only possible because of this abolition, a saving of rentals, and so forth, a reduction from $415,280 to $350,000. Those two reductions result from this proviso. The gentleman from California [Mr. RAKER] says that it is not apparent upon the face of the bill that there is a reduction, and hence that it does not come within the Holman rule. Grant that it does not say in so many words in this paragraph that that which heretofore costs $315,000 shall this year cost only $125,000; yet these rules are to accomplish desired legislation rather than to hinder it, and one of the most desirable forms of legislation to-day is economy.

This question was directly raised on January 25, 1921, when in Committee of the Whole, in consideration of the agricultural appropriation bill, an amendment was offered by the gentleman from Minnesota [Mr. ANDERSON] to strike out a certain amount and insert a different amount, and then to take some action which resulted in the abolishment of a kelp plant. The gentleman from Iowa [Mr. HAUGEN] made the point of order that the proviso constituted new legislation, and the gentleman from Arkansas [Mr. WINGO] contended that the proviso did not come within the Holman rule for the reason that the sale of the plant was not mandatory, but merely lay within the discretion of the executive officer. The point that is now stressed by the gentleman from California [Mr. RAKER] was disposed of at that time by the then Chairman of the Committee of the Whole, Mr. Hicks, of New York, and his decision will be found in the third session of the Sixty-sixth Congress, RECORD page 2022. After stating that he is somewhat dubious about the proposition, he said that the Chair will try to answer one or two questions:

> Does the proviso reduce the amount of money covered by the bill? On its face it does not. However, it appears that in the current law $192,000 was appropriated for the maintenance of this plant. It is stated that $150,000 was included in the present bill for a portion of the coming fiscal year, based on the prospect of selling the plant, as indicated in the proviso. If the plant is sold, it seems a logical conclusion to assume that no further appropriation will be required for it; if the proviso is not agreed to, it will be necessary to increase the appropriation to $208,500 in order properly to maintain this plant during the next fiscal year. Therefore, while the proviso on its face does not indicate a reduction in the amount of money in the bill under consideration, yet it seems to the Chair a logical conclusion that the proviso will bring about a saving of money formerly carried in this bill and liable to be carried in the future. The Chair feels that the principle laid down by the gentleman from Tennessee [Mr. GARRETT] is sound, that an amendment or a provision in a bill reported from the Committee on Appropriations changing existing law and clearly a retrenchment within the three methods provided in the rules, may include legislation directly instrumental in accomplishing a reduction provided it is not permanent legislation—that is, legislation beyond the life of the bill under consideration.

The proviso before us in abolishing these offices of course does away with the necessity of their further maintenance. I think the Chair in supporting the ruling here cited can take judicial notice of the fact that these offices can not be maintained without paying a salary to the officer and without certain expenditures for the conduct of the office.

Mr. CARTER. Mr. Chairman, I want to add to what the gentleman from Michigan has said. The Chair is familiar with the Holman rule, which provides that amendments may be placed on an appropriation bill in four different ways. First, that shall retrench expenditures by the reduction of the number and salary of the officers of the United States. Second, by the reduction of the compensation of any person paid out of the Treasury of the United States. Third, by the reduction of the amounts of money covered by the bill. It then provides that upon the recommendation of the committee having jurisdiction of the subject matter such amendment is germane as will retrench expenditures. Now, the Chair, I know, will take into consideration the existing conditions of the law of the land and that it is not necessary for the bill to show that such and such is a retrenchment. That is for the Chair to construe. Now, my contention is that this language proposed by the committee complies with every provision of the Holman rule, to wit, it retrenches expenditures by the reduction in the number and salary of employees; and, second, by the reduction of compensation, because it does away with the compensation of these certain employees; and, third, by the reduction of the amount of money required in the bill, because, as I recall, there are 29 offices abolished. Their salary has an average of about $2,000. Twenty-nine times $2,000 makes

$58,000. So, if this amount is carried in the bill, $58,000 additional must be carried in the bill for the payment of salaries or some other necessary work must be abandoned. I think it comes clearly under the last provisions of the Holman rule, which provide for amendments which retrench expenditures.

The CHAIRMAN. The Chair is ready to rule. This point of order is made against the proviso which apparently is new legislation. The justification for the new legislation is that it is a retrenchment of expenditures under rule 21, clause 2. The same question was decided in the citation by the gentleman from Michigan in interpreting the rule and, in addition, in the cases cited by the gentleman from Oklahoma. On February 11, 1922, page 2460, Chairman GRAHAM ruled upon a very similar point of order made by the gentleman from California who now makes the point of order. In rendering the decision in that case, the Chairman said:

> This section has really three proposals in it—first, to consolidate certain offices; second, the proviso to limit the expenditure of the fund appropriated; and, third, the abolishing of certain officers in the section.

The Chair in that case, after citing a number of precedents, held it was a retrenchment of expenditures under the Holman Rule, and the present occupant of the chair will follow that ruling.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto may close—will 30 minutes accommodate all gentlemen? I ask unanimous consent that all debate upon the paragraph and all amendments thereto close in one hour.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that debate on the paragraph and all amendments thereto close in one hour. Is there objection?

Mr. BLANTON. Reserving the right to object, I should think the gentleman from Michigan would want all the time reasonably to be divided——

Mr. CRAMTON. It must be.

Mr. BLANTON. Between those who are in favor of the committee's bill and those who are seeking to change it?

Mr. CRAMTON. The rules of the House protect it.

Mr. WILLIAMSON. I object. Will the gentleman from Michigan yield——

Mr. CRAMTON. I thought I had the floor before.

The CHAIRMAN. The gentleman from Oregon was recognized to offer an amendment.

Mr. SINNOTT. I yield to the gentleman to ask unanimous consent, not out of my time.

Mr. CRAMTON. I would like to get some understanding about this debate from the gentleman from South Dakota.

Mr. WILLIAMSON. I am willing to withdraw the objection if I have an opportunity to offer an amendment if the first one fails. And I should like to have five minutes.

Mr. CRAMTON. I am seeking progress, and in a fair way. I ask unanimous consent that debate upon this paragraph and all amendments thereto may close in one hour, during which time the gentleman from Oregon and the gentleman from Utah and the gentleman from South Dakota shall each have an opportunity to offer and discuss an amendment.

Mr. BLANTON. That is improper.

Mr. CRAMTON. If the gentleman from Texas will allow me, I think I can work this matter out.

Mr. BLANTON. I do not object, but it is against the rules of the House.

Mr. CRAMTON. I think I know something about the rules.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the time be limited to one hour, and that during that hour the gentleman from Oregon [Mr. SINNOTT], and the gentleman from South Dakota [Mr. WILLIAMSON], and the gentleman from Utah [Mr. LEATHERWOOD] shall be given opportunity to debate. Is there objection?

Mr. TILLMAN. I object.

The CHAIRMAN. Objection is heard. The Clerk will report the amendment.

The Clerk read as follows:

> Amendment offered by Mr. SINNOTT: Page 12, line 10, after the word "Wyoming" strike out all of the paragraph down to and including line 4 on page 13.

The CHAIRMAN. The gentleman from Oregon is recognized.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, there was so much confusion that we would like to have the amendment reported again.

The CHAIRMAN. Without objection, the amendment will be reported.

The amendment was again read.

The CHAIRMAN. The gentleman from Oregon [Mr. SINNOTT] is recognized for 10 minutes.

Mr. SINNOTT. Mr. Chairman, I have offered this amendment to strike from the bill the language abolishing some 39 land offices. I offer this amendment, as much as anything, in the interest of orderly procedure, in the interest of what might be termed due process of law, in the interest of representative government, in the interest of our right to come here and be heard when our interests and districts are affected, not only before this House but before the committees of Congress [applause]; a right that we have been denied in this matter.

These land offices have been our conveniences for 50 or 60 years. They are our conveniences just the same as your post offices, your customhouses, are your conveniences, and yet they have been, without a hearing, abolished. We, the Representatives, have had no opportunity to be heard, to present the claims of our people living in vast areas like my own district, larger than any State east of the Mississippi River, yet you are abolishing two offices there.

I do not criticize the chairman of the committee; he had to get his bill in on the convening of Congress. He is the victim of a system that has grown up here, a system—a reprehensible one—often resorted to by the departments who do not resort to the ordinary channels and present their wishes and claims to a legislative committee for calm consideration, a committee like the Public Lands Committee, where these matters can be fully heard and where Members from the North, East, South, and West can present the claims of their respective districts.

I say I do not blame the chairman of the subcommittee; he had to work under pressure. Nevertheless, the whole thing has been a star chamber, a drumhead court-martial proceeding. Not a Member affected has been heard in his committee nor has had the opportunity to be heard. And yet our offices are abolished. Most of us got here at the opening of Congress.

The bill then was already written up. Our people hardly know to-day that these offices have been abolished. Yet we are receiving wires from our chambers of commerce protesting against the outrage, without a hearing of the abolishment of these offices, against this wholesale dislocation of the conveniences that we have had for 50 years in the West.

And why was it done? The Interior Department was told to cut down its estimates; and, like the dentist who was pulling out the teeth of the man who had the toothache in the back teeth pulled out the front teeth, saying "they were the handiest ones to get at," the Interior Department, when it was told to curtail its expenses, did it at the expense of the West and without consultation with a western Member. It is idle for Mr. Bond to go before the committee and say they are not needed. I know that they are needed. Two land offices in my district have been abolished, and it will require people who seek information in the land office to travel 13 hours by train in order to get that information. Mr. Bond secures this upon what I say is—and I measure my words—a disingenious and misleading statement, as the record in the hearing shows before the committee. Listen to his language. He leaves the committee to infer—a committee that is apparently not familiar with land-office procedure, although some of its members may be from the West—that certain officers, certain officials, "land commissioners," he calls them, will take care of the interests of our constituents. We have no such thing as "land commissioners." We do have United States commissioners appointed by the Federal court, before whom some one may make a filing or an affidavit; but these commissioners have no land-office records. They are merely, as far as Federal courts are concerned, notaries public. And yet he would have this committee believe, as you will see from the testimony, that these so-called commissioners—"United States commissioners" is their proper name—can take care of the interests of the public. See how he ingeniously dodges the question. Mr. FRENCH asked him, page 127 of the hearings:

> Mr. FRENCH. And under the process you contemplate will they be provided with data touching the types of land that the people will be interested in?

As a matter of fact, they are not provided with any data. Mr. FRENCH was laboring under the impression that they would be. Now, see how Mr. Bond dodges the question. Mr. Bond, who is asked about this data—whether these land commissioners are going to have the data so that the respective applicants can get the information—what does he say? He says, on page 128 of the hearings:

My judgment is that they know more about it than the Land Office does, because they are out over the ground, chasing around, doing things of that kind.

It is only the land office which has the record of each plat in each township.

This man is making a disingenous and misleading statemen, because he says:

They are out on the ground chasing around and doing this kind of thing.

Think of a land commissioner "chasing out over the ground!" There is in my district a territory nearly 250 by 300 miles in extent, practically square, an area larger than from here to the State of New York. And yet Mr. Bond would have the committee believe that that land commissioner is going to be familiar with that enormous area. Mr. Bond is the man behind this whole thing, and he says they can do without the local land office because there are not many inquiries made.

Then he was asked the question, on page 128 of the hearings, "Do you keep such a record?" meaning of the inquiries made.

On page 128 he says, "No; we have no such record."

Now, I had my office in the land office at my town all summer, a land office that is not abolished, and hourly and daily men came up there to make their inquiries. They like to see a Government official and talk with him and get his advice and not go to some notary public or some United States commissioner 150 or 200 miles from the land office.

There has been more trouble, there have been more complications——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to proceed for three more minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SINNOTT. There has been more grief and more land contests because of the mistaken advice of these United States commissioners than from any other source that I know of in the land office practice, and I have been in that practice all my life.

Mr. RAKER. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. RAKER. Is it not a fact that the land commissioner would have no information and he would have to go to the county seat or State capital, 300 or 400 miles away, in order to get it?

Mr. SINNOTT. Yes; and he would charge a man for that information. Now, here is another thing: The two offices in my district which are abolished are paying propositions. One pays 25 per cent into the Government more than the expenses, and the other pays 16 per cent. That is up to the last fiscal year. But both of these offices are to be consolidated.

One was consolidated last August, and that saves $3,000 to that office; the other office is to be consolidated on the 1st of January of next year, yet Mr. Bond, the expert, who appears before this committee, did not know that was the law. He did not know it, or somebody else misled his chief, because a few months ago the department sent to the two Oregon Senators a request for the appointment of a new register for the Burns land office, although the office had been consolidated. Yet this wiseacre, who appears before this committee and overpersuades this committee in the absence of anyone from the West, was about to foist upon the Government an official at $3,000 a year, an official whose office had been abolished.

Gentlemen, I appeal to this House in the interest of fair play and representative government, in the interest of our right to represent our districts and constituents before these committees, and to have time and opportunity to present to the proper committees our arguments against this arbitrary, wholesale inconvenience to the land-office patrons of 39 States of this Union. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RAKER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from California rise in opposition to the amendment?

Mr. RAKER. No; I am for the amendment.

The CHAIRMAN. Does any gentleman desire recognition in opposition to the amendment?

Mr. LAGUARDIA. I desire recognition in opposition to the amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. LAGUARDIA. Mr. Chairman, only yesterday there was considerable applause in this Chamber in response to the President's appeal for economy. It does seem strange that the first appeal for the President's message on economy must come from an "irregular." It was understood in my part of the country that the majority would loyally support the President in all his recommendations. This is your first opportunity. Here is a recommendation to abolish a large number of useless offices. After very careful study at the Budget Bureau and after careful consideration and deliberation on the part of the committee, and yet Members of the President's own party, after only three days of the session, on the first appropriation bill take the floor in opposition to the President, and you talk about regularity to me. [Applause.] We will go along with the President in his economy program.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WILLIAMSON. Would the gentleman be willing to abolish all the fourth-class post offices in the State of New York that do not pay their way?

Mr. LAGUARDIA. That is no comparison.

Mr. WILLIAMSON. Yes; it is a very good comparison.

Mr. LAGUARDIA. But I will say that the "gentleman from New York" is willing to reduce the Federal forces in New York State 33 per cent in order to get more efficiency and better service to the public.

Mr. WATKINS. Does the gentleman refer to prohibition-enforcement officers?

Mr. LAGUARDIA. No; I would put them under the civil service. Here is a chance for you Republicans to stand by your President and put the prohibition officers under civil service. I will vote with you to do that and be "regular." I doubt very much if you will stand by the President on that. [Applause.] I do not know what connection there is between the prohibition department and the land offices, but when it comes to real economy, abolition of the spoils system, and efficient service, we will see who is regular. I do hope that the majority will stand by the President on economy and on efficiency in the departments, and here is your first opportunity.

Gentlemen, I am against the amendment, and I hope it will be voted down.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 10 minutes.

Mr. COLLIER. Mr. Chairman, reserving the right to object, I desire some time.

Mr. SWING. Mr. Chairman, I object to that. The gentleman from Michigan [Mr. CRAMTON] will want five minutes of that himself.

Mr. CRAMTON. I think it would be worth while for the committee if I should take five minutes.

Mr. SWING. That would leave only five minutes for us, and I object.

The CHAIRMAN. Objection is heard.

Mr. CRAMTON. I want to be fair and find out how much time is desired. I ask unanimous consent that all debate on the pending amendment close in 30 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the pending amendment close in 30 minutes. Is there objection?

Mr. TILLMAN. Mr. Chairman, I object.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, it is unfortunate that we are compelled to present this matter at this time. I received a telegram from the register of the Susanville land office on November 29. My secretary immediately called up the office of the Commissioner of the General Land Office, and that was on the 1st of December. This is what we were advised:

No action is contemplated at present relative to the Susanville land office. However, the commissioner expects to recommend its elimination altogether some time in the near future. Will wait until he sees what action Congress takes relative to appropriations.

Now, on that same day I sent this telegram to the register:

Telegram received. No action is contemplated by Commissioner General Land Office at present relative to the consolidation or elimination of the Susanville land office. Will keep in close touch with matter and leave nothing undone to retain office as at present.

I went to the committee to get a hearing, but was unable to get one. I was unable to get a bill, and the first thing I learned was——

Mr. CRAMTON. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. CRAMTON. Does the gentleman say he consulted with me at all about a hearing on this bill?

Mr. RAKER. Oh, no. I went to the committee's room, but I could not get a copy of the hearings even on Monday. I am not complaining.

Mr. CRAMTON. There has not been a day in three weeks but what I have been in my office all day, and the gentleman has not called upon me at all.

Mr. RAKER. I went to the Committee on Appropriations across the hall and I asked the gentleman in charge if I could get copy of the hearings. This was Monday. He said they were all exhausted and I could not get any, and I did not get them until the next day. I am not blaming the gentleman from Michigan at all.

Mr. CRAMTON. I understood the gentleman to say he had asked me for a chance to be heard.

Mr. RAKER. Oh, no; not to be heard at all.

Now, that was unfortunate because we are unable to present this matter. I immediately then telegraphed to the register, stating that I was mistaken and that I had either not understood the matter or had been improperly advised, and that there was a bill pending to abolish the office which would come up on yesterday.

I have received from the register a statement that this office has been paying at the rate of $10,000 a year over and above all expenses, and I also received a letter from the judge of the county explaining the situation, and I have also heard from the Chamber of Commerce of Lassen County, the Chamber of Commerce of Modoc County, and the Chamber of Commerce of Plumas County, insisting that opportunity be given for a hearing and that the office be not abolished, because it is necessary by reason of the large amount of land involved and the amount of business done by that office.

Gentlemen, there is a further proposition involved. This is to be transferred to Sacramento, some 300 miles from Susanville. Lassen County, Modoc County, and the part of Plumas County involved are on the eastern side of the Sierra Nevada Mountains. We are 7,000 feet over the Sierra Nevadas, and in the wintertime we can only go part of the way by railroad, and after November until some time in March we can only get there by conveyance unless we go north 100 miles and swing around by way of Redding, another 150 miles, and then 125 miles down the valley to Sacramento.

This land office has been in the heart of this country where the people could attend to their business and attend to it properly, and to now cut it off would create an entirely different situation. In the northeastern part of our State the Sierra Nevada comes right around from Nevada and sweeps around in Lassen County, part of Plumas, and all of Modoc, and on the eastern slope the water never goes to the Pacific slope at all. The situation is entirely different from that in many other places. The distance is so great that the office ought not to be abolished.

These people have been paying taxes and this office has been a source of revenue to the Government. They sold some $400,000 worth of timberland from the public domain in one lot last year. The public land has not been altogether disposed of yet. Therefore, there can be no possible reason based on the question of economy.

I am as strong for economy as any man can be, but it is not economy to compel a citizen who is entitled to service, entitled to have Government officials perform their work, to suffer such a hardship and be compelled to pay from $10 to $100 in order to get such an office do its work, because, in addition to the ordinary taxes which he is compelled to pay, he would have to pay that amount of money out of his pocket in order to have his business attended to.

Supplemental to what the gentleman from Oregon [Mr. SINNOTT] has said, I have been familiar with land practice for the last 45 years and have appeared before the land office at Susanville.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask that I may have three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

Mr. RAKER. The people believe in economy; they believe in service; they believe in having their business attended to properly. A land commissioner is nothing more or less than a notary public, in substance, appointed by the presiding judge of the United States court to take affidavits and do other business, and under the land laws he may take certain affidavits and do other things such as a notary public might do or a county clerk might do, but he can never have access to the records of the land office unless he goes there, and then he would have to make copies of them. He would have to pay for the making of those copies, and this bill and his expenses would have to be paid; and if the citizen whom he represents desired to be heard, he would have to take the secondhand word of this man after paying his expenses, to say nothing of the time and trouble involved in going to the office; whereas if the office is maintained within a reasonable distance, he can go to the office, present his case to the register, who will look up on the maps and plats and there will find the condition of the land, and then the man can determine whether he wants to file on it or not.

Mr. SINNOTT. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. SINNOTT. His advice would be equivalent to the advice of an ordinary notary public on a legal question.

Mr. RAKER. Exactly so; whereas a register is a Government official. We have relieved many a homesteader and timberland claimant and desert-land claimant by virtue of receiving the advice of the register of the land office, and when his filing according to the law in the office might be different from that in the Land Office, it has been said that the register is an official of the Government and therefore an innocent party ought not to be deprived of his rights, and it is right that that should be done.

Therefore, while every man here might plead economy, every man here might say he is for economy, no man can go home to his constituents and honestly look them in the face and say he is in favor of economy when, as a matter of fact, he deprives the people of the means to do their legitimate business in a country that requires settlement and development, where every ingenuity, where every kind of strength and vitality is required of a man to build up this country. He ought not to be deprived of the opportunity to carry on the legitimate business, to say nothing of going through the hardships he has to go through in developing a pioneer country. [Applause.]

On this subject the first telegram received from Mr. Coffin, register, follows:

SUSANVILLE, CALIF., *November 29, 1924.*

Hon. JOHN E. RAKER, M. C.,
Washington, D. C.:

Relative to consolidation of Susanville with Sacramento Land office, have to advise Susanville office is self-supporting. Surplus of earnings over expenditures for last two fiscal years nearly $10,000. This district isolated and mountainous. To close office will bring hardship on homesteaders and home seekers.

E. B. COFFIN, *Register.*

I made inquiry of the General Land Office and got the following response, viz:

No action is contemplated at present relative to the Susanville land office. However, the commissioner expects to recommend its elimination altogether sometime in the near future. Will wait until he sees what action Congress takes relative to appropriation.

Then sent the following telegram to Mr. Coffin, viz:

WASHINGTON, D. C., *December 1, 1924.*

Hon. E. B. COFFIN,
Register Susanville Land Office, Susanville, Calif.:

Telegram received. No action is contemplated by Commissioner General Land Office at present relative to consolidation or elimination of Susanville land office. Will keep in close touch with matter, and leave nothing undone to retain office as at present.

JOHN E. RAKER, M. C.

As soon as I learned the true situation, which was on December 3, 1924, and not before, I sent the following telegram to Mr. Coffin:

WASHINGTON, D. C., *December 3, 1924.*

Hon. E. B. COFFIN,
Register United States Land Office, Susanville, Calif.:

Contrary to report given me by General Land Office and as given you in my reply to your telegram relative to abolishing the Susanville land office the department recommended its abolishment and the Appropriations Committee have provided for its elimination by bill reported yesterday, which bill is being considered in House to-day. Will do our best to stay this action. Telegraph me reasons why this office should not be abolished. Have chamber of commerce and others give their desires in the matter at once.

JOHN E. RAKER, M. C.

Received the following telegrams and letter regarding the abolishment of this land office at Susanville, as follows:

SUSANVILLE, CALIF., *December 3, 1924.*

JOHN E. RAKER,
House of Representatives, Washington, D. C.:

Over one million acres Government land in Susanville land district, which can be administered here best. Office on paying basis. Lumber and agricultural interests demand local services. Will get State organization to wire you.

LASSEN COUNTY CHAMBER OF COMMERCE.

QUINCY, CALIF., *December 3, 1924.*

JOHN E. RAKER, M. C.,
Washington, D. C.:

People of Plumas County not in favor of moving Susanville land office to Sacramento: Use your best efforts in blocking same.

QUINCY COMMERCIAL CLUB.

ALTURAS, CALIF., *December 4, 1924.*

JOHN E. RAKER, M. C.,
Capitol Building, Washington, D. C.:

Modoc protests against any change in the location of Susanville land office and requests you to prevent the passage of any such measure. Revenue from that office is sufficient to pay its own expenses. Any change would mean a great inconvenience to Modoc, Lassen, Plumas.

MODOC COUNTY DEVELOPMENT BOARD,
E. F. AUBLE, *Vice President.*

SUSANVILLE, CALIF., *December 4, 1924.*

Hon. JOHN E. RAKER,
House of Representatives, Washington, D. C.:

Your telegram even date received. There is no logical reason for elimination of this office. Is on a sound paying basis and serves four counties at present. Over a million acres of unappropriated Government lands within the district besides thousands of acres not yet titled that have been filed on. Protests from all parts of the district follow.

E. B. COFFIN, *Register.*

SUSANVILLE, CALIF., *December 4, 1924.*

JOHN E. RAKER,
House of Representatives, Washington, D. C.:

Lassen Advocate joins in protesting removal of Susanville land office. No valid reason for change. We commend your efforts.

LASSEN ADVOCATE.

SUSANVILLE, CALIF., *December 4, 1924.*

JOHN E. RAKER,
House of Representatives, Washington, D. C.:

Farmers of Modoc, Lassen, and Plumas Counties urge every effort to prevent removal of land office. Great convenience to farmers and stockmen and saves expense.

LASSEN COUNTY FARM BUREAU.

WESTWOOD, CALIF., *December 3, 1924.*

Hon. JOHN E. RAKER, M. C.,
Washington, D. C.:

If land office is moved from Susanville to Sacramento, it will work a hardship on our company and the people generally of this district not only because of the long distance on high mountain railroad fare but the train service is not only slow but irregular, so we would like you to protest against having the office moved.

THE RED RIVER LUMBER CO.

CHAMBERS SUPERIOR COURT,
Susanville, Calif., November 29, 1924.

Hon. JOHN E. RAKER, M. C.,
Washington, D. C.

DEAR SIR: Mr. Earl B. Coffin, register of the land office at this place, has just been to see me concerning an effort on the part of some of the citizens of Sacramento to have the Susanville land office consolidated with the Sacramento office. I understand that Mr. Coffin forwarded you a telegram last evening concerning this proposed change.

Mr. Coffin tells me that the receipts of the office over and above the expenses of maintaining and operating the same for the two fiscal years just past is something like $10,000 per year. It would seem that from a financial standpoint there could be no object in closing the Susanville land office.

Again, we have such a large amount of land that still belongs to the Government in Lassen County, much of which is not worth a damn for anything except a possible stock raising, and very little use for that, and yet some of the stockmen are willing to take up portions of this land, and continue to do so unless the expense of obtaining it becomes prohibitive, which would be the case were they compelled to lose a week's time, or thereabouts, and spend a hundred or a hundred and fifty dollars to visit a land office to make their filing, and the same amount of money when they came to make their proof, which would be the case if a removal were had to Sacramento.

Furthermore, those pieces that would have some value and which people would like to take as a homestead are desert land, and many of these people are too poor to stand the expenses of a trip to Sacramento and return, and therefore much of this land would not be occupied or used for many years.

You are perfectly familiar with conditions existing here and in the land district, and I trust you will take this matter up and use your very best endeavors to thwart the action of these Sacramento people. I understand it is merely some local people there that are starting the agitation, and that it is not the sense of the people generally. Anything we can do to assist you in seeing that justice is done in this matter, please advise us and we will get busy.

Very truly yours,

H. D. BURROUGHS, *Judge.*

Mr. COLLIER. Mr. Chairman and gentlemen of the House, this question came up last year both in the committee and on a roll call of the House, and the abolishment of these various land offices was not approved. We have heard a good deal this afternoon about the hardship of having to go 150 or 200 miles, and I appreciate the hardships that the gentlemen speak of; but I want to say to you that in the case of Mississippi you do not expect us to go 150 miles or 200 miles, you expect us to go 1,100 miles and to come up here to the city of Washington. You want to destroy the office there.

If this is to be on the ground of economy, I refer you to the reports in the papers presented by the committee. It is true that the Jackson (Miss.) office is a small office. A great part of our public land has been taken up, but we still have some public land that is not settled, and people continually have to look at these records. Now, talking about economy, while this small office takes in somewhere about $8,000, it is costing the Government just about half that amount to run the office.

In view of the great inconvenience to the public, in view of the fact that some of the records are old and musty, but placed where we can now get at them, and they will be taken away a thousand miles and many of them perhaps destroyed, I think it is false economy to abolish these offices at this time. I am not going to take up any more of the time of the House. I think we all believe in economy, but the time we are wasting in trying to do away with these little offices is not much economy in itself. This matter was settled by a decisive vote in both the committee and in the House by a roll call, and I see no reason why these changes should be made, and I hope they will not be made. [Applause.]

Mr. LEAVITT. Mr. Chairman and gentlemen of the House, I think the charge of lack of economy should lie at the feet of either this subcommittee or of the officials of the Land Office; whoever are responsible for bringing this matter before us in this form every year. Instead of giving those of us who represent districts needing these land offices an opportunity to cooperate with them in the reduction, and who would fairly agree to a proper reduction if given such an opportunity in a businesslike way, they force us every year to come in here and fight this matter. We are willing to stand for proper reductions as the business of the land offices shrinks. In the State of Montana we are being asked to give up six land offices, offices where the receipts are five times as much as they are costing. As said by the gentleman from California [Mr. RAKER] we are trying in the West to build up a new pioneer country—to make homes on land that is undeveloped—but we can not do it by making it inconvenient for people who come there. Nor do these people originate in Montana. They come from Middle Western and Eastern States that they may have the opportunity to make homes in a new country. To hamper them is not the way to build a nation. That is not the way to economize in this Congress of the United States. [Applause.] I want to repeat my charge that the real cause for this lack of economy is that we are forced to fight the bill when we should have been given an opportunity to enter into this in a cooperative way, into some sort of a plan for reducing the offices as they should be reduced instead of having to fight for them year after year. [Applause.]

Mr. LEATHERWOOD. Mr. Chairman, any proposed economy that impairs the public service I think is false economy. We have a situation in the State of Utah very similar to that described by the gentleman from California [Mr. RAKER]. There are two land offices in the State; the principal one is at Salt

Lake City. Another that serves an important portion of the State is in the extreme northeastern corner, at Vernal. It is proposed by this legislation to abolish the Vernal office. I do not have the figures before me, but there is a large volume of business transacted in that office. I do know that Vernal lies in that portion of the State where there is a large percentage of the public domain yet unentered. If you abolish the office, during the winter season and particularly when there are heavy snows, the people of that part of the State are practically cut off from access to the office at Salt Lake City. It seems to me it is as important to the Government to make it possible for these people to do business in the land office at Vernal as it is to maintain post offices in the same section of the State, many of which do not pay expenses.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. LEATHERWOOD. I will.

Mr. WILLIAMSON. I have the figures here, and I find that the receipts in Vernal are five times as much as are expended for the maintenance of the office.

Mr. LEATHERWOOD. I thank the gentleman for the information. The gentleman says that the revenue of the office is five times what it costs to operate it. Yet the proposed legislation, in the face of this record, says that they will abolish this office and prevent these people, a portion of the year, from getting any service at a land office, and at other times they must travel 200 miles. There is no railroad connecting this portion of the State with Salt Lake City. It is a hard trip under most favorable conditions, and most of it made by stage. I can not conceive why gentlemen in the Congress want to go out into that country and try to impair the service and deprive the people of an office that is self-sustaining and that pays five times its cost of maintenance back to the Government. [Applause.]

Mr. TILLMAN. Mr. Chairman, I suggest to the gentleman from New York [Mr. LAGUARDIA] and also to the President, that we might practice economy instead of preaching it by eliminating the proposed appropriation of $12,000,000 for the Cape Cod Canal, much favored by New York, by New England, and by President Coolidge, and also we could, with safety and with small hurt to the nation, eliminate a large sum of money that is to be asked for rivers and harbors near New York City. I suggest to the Chairman of the committee [Mr. CRAMTON] that we might scrap the item of $406,000 which they seek to appropriate for Howard University, a private institution of higher learning here in the city of Washington, an appropriation of doubtful constitutionality, at least of doubtful propriety. I suggest that we might save a considerable item in this modest bill of $268,000,000, by cutting out the item of $202,000 for the Freedmen's Bureau, at least cut or diminish the appropriation of $50,000 for additional improvements asked. There is another appropriation for the District of Columbia that might be cut the amount of $103,400, for the Columbia Institution for the Deaf. If gentlemen are obsessed with a burning desire for reducing appropriations why not reduce appropriations? You are seeking to abolish 39 land offices, and altogether the saving in money is a mere bagatelle. I am interested particularly in my own land office at Harrison, Ark. It has been there 50 years. It has served an excellent purpose. It is housed in an elegant Federal building. There is no rent to pay. This office is located in the heart of the vacant land section of the State of Arkansas. Last year there were a large number of unperfected entries, and the number of applications amounted to 456. There are still left there 99,786 acres of vacant lands. In addition to this vacant land, one of the forest reserves is located in this locality, and under the rulings of the department, a man can homestead land in that forest reserve where it is known to be agricultural land. If this office is abolished my people—and the people who homestead land are usually poor people—will be compelled to go, if they desire to consult the register or the receiver of the land office, 150 miles away to the capital of the State, and they must change trains a time or two in order to get there.

They will have to spend quite a sum of money and expend a large amount of time each trip. Whether or not it is necessary for people to go to the land office to consult with a register or a receiver, they actually do so in perfecting their entries, or in making their entries or contests, and in making inquiries as to vacant lands.

This question of economy is important and I favor economy, but let us not start to economize at the bottom. Let us begin at the top. If economy is the sole issue, you might well dispense with all the rural carriers of the country, because they are expensive. You may also abolish a great many of the post offices of the country because they cost more than the amount of the revenue derived from them. The Post Office Department itself, admittedly a well-conducted and popular department, exceeds its revenue. Should it be abolished? Congressmen are quite expensive luxuries themselves. Does the battle-ax brigade favor their curtailment?

In my district there is quite a lot of activity at the present time in the matter of homesteading vacant lands. This land is chiefly in the mountains, and the grape industry is getting to be an important enterprise there. Welch has established his southwestern grape-juice factory in my district, and a great many people from the North and elsewhere are coming into that country to acquire cheap lands, to homestead them, if they can get them.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. TILLMAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILLMAN. Many people are going into that section to take advantage of the cheap land for the purpose of setting out vineyards, and Mr. Welch states that the soil of that section has been analyzed, and that it is ideal for grapes, and that at the time these grapes come on the market it is bare of grapes from any other section of the country. For that reason grape culture there can hardly be overdone.

I want this land office preserved, first to encourage homestead entries, to allow these people who have already made entries to perfect them, and not allow them to be cut off without notice. I knew nothing about this provision until it was read here on the floor of the House. I did not know about it two years ago nor one year ago until the bill was under debate in this House. The jurisdiction of this particular subject rests with the Public Lands Committee, and you have heard the chairman of that committee, a very able and popular gentleman here on this floor, and he feels keenly, and his committee feels keenly, the deprivation of jurisdiction which has been brought about with reference to this subject.

I do not want to appeal to you in a selfish way nor to make any threats, but there are a great many of us who have local matters in which we are interested, and we can and should be mutually fair and considerate. We have to pay some little attention to the practical side of legislation. We feel like assisting those who help us as far as it is proper to do so. We do not believe that these 39 offices should be abolished without notice to the people who live contiguous to them, or that these people should be deprived of the privilege of easy communication with those offices.

This is not a new question. We have debated it for three years, and each time the Membership of the House has risen to the occasion and has rebuked the efforts upon the part of this committee to usurp the jurisdiction of the Committee on the Public Lands. This is not a small matter to intending homesteaders, and, after all, the homesteader has been an important unit in the development of this Republic, and he is entitled to honorable mention and fair treatment. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. SWING. Mr. Chairman and gentlemen of the committee, it seems to me that the test of whether a public agency justifies its existence is not to be determined entirely by the question of whether it pays in dollars and cents. But even on that basis the two land offices which are located in my district, which is 500 miles long and 200 miles wide, pays the Government a profit of 50 per cent a year on the business transacted, which is a pretty good dividend. The proper test of the justification of the existence of a governmental agency, I believe, is whether it serves a useful purpose, whether it renders a real service to the people. As proof of that in this case you have the testimony of the Members of this House who live in the communities affected, and who ought to know, and I believe you will take their word for it when they say that these land offices are rendering a useful and needed service. I was much of the time this summer in and out of one of these land offices and saw people going in and out utilizing its officials and records constantly. If this measure is adopted as it is written, these same people will hereafter have to go from 225 to 250 miles to the city of Los Angeles to get desired information and advice or to transact their business. It is not true they can transact this business by mail. You can get your medicine by mail if you want to, but it is not considered good practice to do it; nor will any lawyer advise his client to transact his law business by mail. Every lawyer knows how frequently he has to go to the county clerk's office where the court records are; and so the records in these land offices are constantly referred to by those having land-office

business. Entrymen desire to consult the register and receiver regarding their public-land problems because they know that they are experts who can and will give helpful advice and assistance. Most of these offices are located in the heart of an area where there is much public land and therefore render a beneficial service to the public. If these people hereafter are compelled to go 200 or 300 miles, it will cost them about $50 each, or if they take their witness $150, which would be a heavy burden to them, because most of these settlers are people of very limited means.

The real issue here is not so much whether the Government is going to make a profit out of the sale of the public lands at $1.25 an acre, but whether there is a big public policy to be served, and that is to encourage the building up of our country, to create new wealth and tax-paying property, and produce additional food supplies for the whole country. That is a national policy which, I believe, we all favor. These land offices are agencies which are rendering very useful and very beneficial service in furtherance of that policy, and in addition in most every case are paying a handsome dividend into the Public Treasury besides.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Oregon.

Mr. SUMMERS of Washington rose.

Mr. CRAMTON. I had the impression that the request I made was objected to.

The CHAIRMAN. The Chair let the debate run along pretty well. The rule, of course, says that an amendment shall be debated for five minutes on one side and five minutes on the other.

Mr. CRAMTON. I understand that rule, Mr. Chairman, but the committee in charge of the bill have a certain responsibility, and we have sought to make an amicable agreement to limit the time without enforcing the drastic rule to which the Chair referred. The requests I made have been objected to. The chairman of the subcommittee had the understanding that the last request he made was objected to.

The CHAIRMAN. That is true.

Mr. CRAMTON. If the Chair will permit, the committee does not desire any arbitrary action. We have not limited the time, desiring to give these gentlemen an opportunity to present their case.

The CHAIRMAN. There was a very simple method. The Chair asked the gentlemen as they rose if they moved to strike out the last word of the amendment——

Mr. CRAMTON. Permit me to make this request, and that is that further debate on the pending amendment be limited to 20 minutes, of which the gentleman from Washington [Mr. SUMMERS] have five minutes. I will ask that the time be limited to 30 minutes, 15 minutes to those in favor of the bill and 15 minutes to those against it, notwithstanding most of the time has been consumed by those favoring the amendment.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the time be limited to 30 minutes on this amendment and all amendments thereto. Is there objection?

Mr. HILL of Washington. Mr. Chairman, reserving the right to object, I would like to have three minutes.

Mr. CRAMTON. I am not making any division of time except——

The CHAIRMAN. The gentleman from Washington is recognized.

Mr. SINNOTT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Will the gentleman from Washington yield?

Mr. SUMMERS of Washington. I yield.

Mr. SINNOTT. Do I understand the proponents of the amendment have the right to close?

Mr. CRAMTON. Mr. Chairman, I do not understand anything of that kind. The committee has the right to close.

Mr. CARTER. Mr. Chairman, I have never seen any other rule invoked since I have been here except that those in charge of the bill had the right to close debate.

Mr. SINNOTT. The rule is that the proposer of the amendment has the right to close.

The CHAIRMAN. The gentleman from Washington [Mr. SUMMERS] is recognized.

Mr. SUMMERS of Washington. Mr. Chairman, as a matter of economy, when we consider the taxpayer we should leave the land offices where the territory is extensive, as it is in many of the Western States.

It is proposed here to eliminate the Yakima and the Walla Walla offices in eastern and southeastern Washington, in a territory that is about half the size of the State of Michigan. That will mean that the poor homesteader who wants to try to make a home on the land and develop the waste places is going to have to travel from 250 to 300 miles in order to get the simplest elementary information in regard to vacant land or how to proceed.

The suggestion is made that he go to a United States court commissioner. Well, in that case he might have to travel 150 miles even for that purpose, and then he will find a man who has no information along the line he seeks.

Now, take the Yakima office. The register and receiver is already combined in one position there. He is a very efficient gentleman and he has earned during the last year $2,627.14, and the clerk hire and incidental expenses were $1,817.50. There was no extravagance or waste there. There are still 197,640 acres of vacant land in that territory, and there are unperfected entries to the extent of 92,160 acres more.

Over in Walla Walla the register and receiver is combined in one officer, and that officer has earned during the last fiscal year $1,169.85. He keeps the office open and is there ready to serve a large territory. He is there to help display the records and to give the information that the homesteader seeks. We still have 108,758 acres of vacant land there, and we have in unperfected entries 83,399 acres additional.

I submit to you that you may be saving at the spigot but you are wasting at the bung. You are throwing ten times the expense on the man who seeks to establish a home on the land. You are going to necessitate his traveling into Spokane, two or three hundred miles away, or into Seattle, from 300 to 400 miles away, a total expense, including two or three days of time and hotel bill and transportation, of anywhere from $30 to $50. That is the best he can possibly do. Not very many trips will have to be made on the part of the taxpayer in that way in order to cause him more expense than the land office costs.

These land offices are practically paying their own way. One of them is a little more than paying and the other a little less than paying its own way. But they are serving a large territory, sparsely settled, and they are helping to develop that territory.

I submit to you that as a matter of economy we should not close offices of that kind.

Mr. EVANS of Montana. Mr. Chairman, I rise to support the amendment. The bill as brought into this House by the Appropriations Committee abolishes 39 land offices situated in the public-land States. Six of these offices, to wit: Billings, Bozeman, Glasgow, Great Falls, Kalispell, and Lewistown, which it is proposed to abolish, and situated in the State of Montana, which I have the honor in part to represent. These offices have been in existence for from 25 to 40 years and have been of great service and convenience to our people. There are still millions of acres of public lands located in the State of Montana, and millions of acres of known coal land and oil land, and all dealings with such properties have heretofore gone through some of these land offices. It is now proposed on the plea of economy to abolish these institutions. These offices have been our convenience for 40 years; they are our convenience just the same as your post offices or rural carriers or your customhouses, and yet without a hearing, without any notice to the Representatives of these States, without any opportunity to be heard, to present our claims or plead our cause, the people living in these Western States are to be deprived of these conveniences.

The offices situated at Lewistown and Great Falls are each known to be in the center of great oil fields that are just beginning to be developed—hundreds and probably thousands of people will want access to records and maps and want information from these offices annually; and yet, regardless of the inconvenience to our people and without notice to us, these offices are to be closed to the public on the sole ground of economy. It has been suggested that this business can be done by a land commissioner. A land commissioner is nothing more nor less than a notary public, in substance, appointed by the presiding judge of the United States court to take affidavits and do other business, and under the land laws he may take certain affidavits and do other things such as a notary public might do or a county clerk might do, but he can never have access to the records of the land office unless he goes there, and then he would have to make copies of them. He would have to be paid for making these copies, and this bill and his expenses would have to be paid; and if a citizen whom he represents desired to be heard, he would have to take the second-hand word of this man after paying his expenses, to say nothing of the time and trouble involved in going to a distant office, whereas if the office is maintained within a reasonable distance he can go to the office, present his case to the register, who will look up on the maps and plats and there will find the condition of the land, and then the man can determine whether he wants to file on it or not.

Therefore, while every man here might plead economy, every man here might say he is for economy, no man can go home to his constituents and honestly look them in the face and say he is in favor of economy when, as a matter of fact, he deprives the people of the means to do their legitimate business in a country that requires settlement and development, where every ingenuity, where every kind of strength and vitality is required of a man to build up this country. He ought not to be deprived of the opportunity to carry on the legitimate business, to say nothing of going through the hardships he has to go through in developing a pioneer country.

It seems to me that the test of whether a public agency justifies its existence is not to be determined entirely by the question of whether it pays in dollars and cents. The proper test of the justification of a governmental agency, I believe, is whether it serves a useful purpose, whether it serves a real service to the people. As proof of that in this case you have the testimony of the Members of this House who live in the communities affected, and who ought to know, and I believe you will take their word for it when they say that these land offices are rendering a useful and a needed service. I was often this summer in and out of some of these land offices and saw people going in and out, utilizing its officials and records constantly. If this measure is adopted as it is written, these same people will hereafter have to go from 200 to 500 miles to get the desired information and advice or to transact their business. It is not true that they can transact their business by mail.

No lawyer will advise his client to transact his law business by mail. Every lawyer knows how frequently he has to go to the county clerk's office where the court records are; and so the records in these land offices are constantly referred to by those having land-office business. Entrymen desire to consult the register and receiver regarding their public-land problems, because they know that they are experts who can and will give helpful advice and assistance. Most of these offices are located in the heart of an area where there is much public land, and therefore render a beneficial service to the public. If these people hereafter are compelled to go 200 or 300 miles, it will be a heavy burden upon them, because most of these settlers are people of very limited means.

The real issue here is not so much whether the Government is going to make a profit out of the sale of the public lands at $1.25 an acre but whether there is a big public policy to be served, and that is to encourage the building up of our country, to create new wealth and taxpaying property, and produce additional food supplies for the whole country. That is a national policy which, I believe, we all favor. These land offices are agencies which are rendering very useful and very beneficial service in furtherance of that policy, and in addition in most every case are paying a handsome dividend into the Public Treasury besides.

I protest against their abolishment, and I am therefore for this amendment.

Mr. RICHARDS. Mr. Chairman and gentlemen of the committee, we are all for economy in every true sense of the word. If not, we have no business being here.

Now, when it comes to a land office being essential, I can conceive of nothing being more so than that office which is situated in Elko in my State.

In the first place, Nevada is 90 per cent Government-owned land. Within the jurisdiction of the Elko land office are over 18,000,000 acres of this land, a vast territory, with few people, and extravagant distances; 110,000 square miles of territory and 77,000 square people. They may not have dealt "square" with me at the last election, but they are "square" just the same.

This land office is essential. It has become an established adjunct in the business affairs and in the social affairs of our people, and in all that which goes to make up the great scheme of our business in that country, it is just as essential as is your post office, and just as essential as some of our courts. In so far as receipts and expenditures of the Elko land office are concerned, last year, according to the report in the hearings, the expenses of the office were only 40.16 per cent of the receipts. That is, the expenses were $5,719.61 and the receipts were $12,389.76. If you consolidate this office with the Carson City office, which is over 300 miles from Elko and at a greater distance from some of the outlying sections than the distance at present from the Elko land office, you will subject our people to great inconvenience. It is true that we have modern conveyances that are sufficient; we have the Southern Pacific Railroad and we have automobiles. But for the land claimant to go to Elko from Carson City to look up a record, he would be forced to incur an expense of time and delay that ought not to be; in many instances forfeit a valid claim or entry owing to inability to defray expenses over the greater distance.

Mr. TILLMAN. The receipts of the office go into the Treasury of Uncle Sam?

Mr. RICHARDS. Certainly. Uncle Sam is receiving $12,389.76 and is paying out $5,719.61.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. Yes.

Mr. HUDSPETH. Every office produces an excess of receipts, and they go into the Treasury?

Mr. RICHARDS. Yes.

Mr. HUDSPETH. I am surprised at my friend from Michigan trying to abolish offices yielding revenue to the Government. He is an honorable gentleman, and he is in favor of economy.

Mr. O'CONNELL of New York. Would not this help the railroads some?

Mr. RICHARDS. Possibly that would be in keeping with the theories of the party on the other side of the aisle, I suppose.

Now, I want to show you what is said by the present receiver of the Elko land office, Mr. George Russell:

> I might say that one can get but little idea of the work done in this office from our reports. There is never a day that we don't have to look up land matters and furnish information as to the status of pending applications, land open for entry, etc.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDS. Mr. Chairman, I have but a line or two more and ask for an additional half second.

The CHAIRMAN. The gentleman from Nevada asks to proceed for an additional half second. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDS (reading)—

> The removal of our maps and tract books would work a great hardship, not only on those who might desire to take up land, but on those who hold land already and who want maps for plats made.

Mr. CRAMTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAMTON. How does the time remain?

The CHAIRMAN. There are 18 minutes remaining, the Chair will say to the gentleman from Michigan.

Mr. CRAMTON. Those opposed to the amendment have 15 minutes, and there are 3 minutes on the other side. The division was between those for and against the amendment.

The CHAIRMAN. The Chair does not recall that was put in the unanimous-consent request.

Mr. CRAMTON. That was the request I presented.

The CHAIRMAN. Of course, in alloting time the Chair, if anyone demanded recognition in opposition to the amendment or in favor of the amendment, would recognize them alternately. But the Chair does not recall that the unanimous-consent request, as stated by the Chair, required that the time be divided equally between those for and against.

Mr. CRAMTON. The RECORD will show my request. There are three minutes remaining anyway and I believe that is more than the gentleman from Washington [Mr. JOHNSON] will require.

Mr. JOHNSON of Washington. Mr. Chairman——

The CHAIRMAN. The gentleman from Washington is recognized.

Mr. JOHNSON of Washington. Mr. Chairman, I want to state that I am thoroughly opposed to this form of making legislation, and bringing in bills without chance for Members to be heard. I expect to have something to say on other matters in this bill, particularly Indian schools and allotments of Indian lands.

I have been in Congress for several years and have seen two offices of this kind go out of my district, and the office at Vancouver, the last one goes. It is a big district without a land office if this bill passes as written. I know a little something about the State of Oregon, and, as a matter of fact, instead of striking down land offices in Oregon, Congress, in my opinion, should be setting one up at Bend, near the center of that State. This whole proposition is not fair. The better thing to do would be to abolish the entire land office business, end all homesteading rather than to make that doubtful proposition just this much harder and more expensive for persons to homestead.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, the committee in taking this action simply undertook to strike out those particular land offices which the department said were no longer necessary.

The committee was careful not to add any other offices for fear that some damage might be done the service.

Now, I think, Mr. Chairman——

Mr. SINNOTT. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. SINNOTT. Will the gentleman point to anything in the hearings where they state these offices are not necessary?

Mr. CARTER. Why, yes.

Mr. SINNOTT. Is not this the statement?

Mr. CARTER. The mere fact that they recommend that these offices be abolished carries with it on its face the assertion that the offices are not necessary. Certainly they are not wanting offices abolished that are necessary. They would not make a recommendation of that kind.

Mr. SINNOTT. Does not the gentleman know——

Mr. CARTER. I can not yield further, as I have but five minutes.

Mr. SINNOTT. But the gentleman does not want to inadvertently mislead the House?

Mr. CARTER. I am not misleading the House.

Mr. SINNOTT. Of course, Mr. Bond stated they cut them out because they were ordered to cut down their estimates, and these offices were very handy.

Mr. CARTER. Is it the gentleman's idea that his administration, in order to secure economy, is wrecking a service that is necessary for the people of this country? Of course, that would appear to be the position the gentleman takes when he says the department has recommended the abolishment of offices that are still necessary.

Mr. SINNOTT. I say that Mr. Bond testified——

Mr. CARTER. I would like to yield to my friend further, but he knows I have only five minutes. I think gentlemen are unduly exercised about the effect this is going to have; that is, the effect the abolishment of these offices is going to have in their districts. We once had a number of these offices in Oklahoma and there were three in my own district. One of the first things I met when I came to Congress was the abolishment of two of those land offices in my district. I went down to the committee and asked them this question: "What are you gentlemen trying to do to me?" They said, "Why, the department says there is no business for these offices; they are through; your lands have been taken up and filed on and there is no further necessity to retain and keep these offices there except to keep some men in office." So, having no case, I acquiesced in the position taken by the department.

Mr. SMITH. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Idaho?

Mr. CARTER. I will yield in a minute, when I finish this story. When that report was made to the House the newspaper boys, of course, took it up and started it all over the country and lo and behold the mayor and president of the commercial club in my own home town came here and they said to me, "You are going to wreck things down there; you are doing away with a valuable institution that ought to be retained and kept." "But," I said, "gentlemen, the department has made the statement and put a statement in the record which indicates that these offices are no longer necessary, so that I have no case. I am willing to go as far as you can give me any logical reason to go, but I have nothing to say in defense of it." "Well," they said, "it is going to ruin you for election; you will certainly lose that country down there if you let these land offices be stricken out." I said, "I can not help it; there is no need for them and I can not retain them." They were stricken out, and the only time I ever heard of the proposition afterwards was when one fellow came to me and told me, in my own home town, "I am mighty glad to see you had the nerve to stand up and strike out these sinecures down there and preventing men from drawing salaries who had no work to do." It was not a question of nerve but it was merely a question of my not being able to prevent it; that is all.

I suppose I would have been like the other boys, and when the president of the commercial club and the mayor bore down on me I would have tried to have continued the offices if I could; but I found out afterwards that I had done the right thing, and perhaps did not know I was doing such a good thing when I did it. Now I yield to the gentleman from Idaho.

Mr. SMITH. Is it not a fact that the Secretary of the Interior has authority now under general law to abandon these offices if they are not needed? This attempt to abandon these offices by legislation is not only unwise and unfair but unnecessary.

The act of June 12, 1840, provides when land offices may be discontinued by the Secretary of the Interior, as follows:

SEC. 2248 (R. S.). Whenever the quantity of public land remaining unsold in any land district is reduced to a number of acres less than 100,000, it shall be the duty of the Secretary of the Interior to discontinue the land office of such district; and if any land in any such district remains unsold at the time of the discontinuance of a land office, the same shall be subject to sale at some one of the existing land offices most convenient to the district in which the land office has been discontinued, of which the Secretary of the Interior shall give notice.

The act of March 3, 1853 provides when land office may be annexed to adjacent district by the President, as follows:

SEC. 2250 (R. S.). Whenever the cost of collecting the revenue from the sales of the public lands in any land district is as much as one-third of the whole amount of revenue collected in such district, it may be lawful for the President, if in his opinion not incompatible with the public interest, to discontinue the land office in such district and to annex the same to some other adjoining land district.

Mr. CARTER. Certainly; but the gentleman knows what would happen if he should undertake to abolish the office in his district. The gentleman himself and his Senator would be right down on the Secretary's neck, and it would be worth the Secretary's life to try to abolish them under such circumstances as that. [Applause.]

Mr. SUMMERS of Washington and Mr. COLLIER rose.

Mr. CARTER. I yield first to the gentleman from Washington.

Mr. SUMMERS of Washington. The gentleman has in mind the fact that the man in charge of these offices is not paid beyond the earnings of the office, but is simply paid from the fees that come in.

Mr. CARTER. That is true.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. EVANS of Montana. Reserving the right to object, is that to be in addition to the time fixed?

Mr. CRAMTON. Oh, no.

Mr. EVANS of Montana. Then I have no objection.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, it was only yesterday we sat here and heard read these words from the President:

In my opinion the Government can do more to remedy the economic ills of the people by a system of rigid economy in public expenditure than can be accomplished through any other action.

Anybody—

Said the President—

can reduce taxes, but it is not so easy to stand in the gap and resist the passage of increasing appropriation bills which would make tax reduction impossible.

We have for an hour or more listened to gentlemen who have land offices in behalf of this amendment which seeks to destroy a saving of $250,000 annually hereafter, equivalent to the income on $5,000,000.

All of these land offices stand together. There is no amendment offered to save this one or that one in which the committee may have erred. No; the proposition is the old-fashioned, pork-barrel proposition of everybody standing together. There is the office in the district of the gentleman from Arkansas where the cost of operating it is 127 per cent of all the receipts.

Mr. LEAVITT. Will the gentleman yield?

Mr. CRAMTON. I can not yield now. The gentleman from Texas spoke about that. That does not mean the revenue that results from the operation of the office. It means the value of every acre of land, of every dollar's worth of oil, and so forth, that is produced there that goes through that office and would go into the Treasury just the same if there was no land office.

Here is Del Norte, in Colorado, 108 per cent, and down at Lamar, there is one where there are only 6,175 acres in the entire district; one at Sterling, with 8,000 acres; one at Topeka, Kans., with 2,038 acres. It will reach the point where there will be an office for each acre if they are allowed to continue. Mississippi has been heard from here—Mississippi where there are only 18,000 acres of public land in the whole State. Wausau, Wis., has been more modest to-day and has made no appeal. There are 4,600 acres of land there.

There has been some question about how this comes to the House. My friend from Oregon when he comes to read the

hearings with more care will regret that he has castigated quite so fiercely the chief clerk of the Land Office. He speaks of the land commissioner and quotes Mr. Bond as if he referred to that officer as one before whom these proofs would be made. He has referred to land commissioners and real estate agents as private individuals but not as an officer before whom proof would be made. Proof can be made before the United States commissioner.

Mr. Bond, in the hearings said in response to a question from Mr. French—

I want to know—

Said Mr. French—

quite definitely whether or not you feel that the contraction of the work in this respect is such that we can go to the limit recommended in the bill?

Mr. Bond said:

I was asked by the Budget about this, and I told them that in my judgment this is a good administrative proposition——

Mr. SMITH. Will the gentleman yield?

Mr. CRAMTON. I must decline to yield until I have finished my statements. If I have any time left then I will be glad to yield.

This is a good administrative proposition. I might say in this connection that the same question was asked as to the offices of surveyors general.

Mr. CRAMTON. And what was your answer?

Mr. BOND. The answer was the same, that it was a good economical administrative proposition.

That is where this has originated—with the department that is charged with the administration of this law. It has been said here in the debate that we should have gotten the advice of somebody from the West. Mr. Bond grew up in the land service, was for a long time clerk in a land office in Wyoming or Montana, and was for many years chief clerk of the General Land Office.

Mr. SINNOTT. Will the gentleman yield?

Mr. CRAMTON. I can not yield now.

Mr. Spry, former Governor of Utah, a great public-land State, recommends this. He is the Commissioner of the General Land Office. Doctor Work, of Colorado, is the Secretary of the Interior, and he recommends this, and, lastly, the President has recommended it as a part of his program of economy.

Understand, a reduction of taxes does not come except with reduction of expenditures, and this program of economy does not come before you in one big lump that you vote for or against. The total of economy that is necessary in order to secure tax reduction is made up of many items that will come before you.

Of the total of the economy that is necessary in order to secure tax reduction the first line is here to-day, and they will come along through the 11 bills. If you want tax reduction to satisfy, you have got to support the Budget program of economy.

Why is there this fear of these gentlemen in whose districts the offices are located as to the result—a lack of service. If you will not take the opinion of the department experienced in the handling of these problems every day and every year, take the lesson of experience. My colleague from Oklahoma has stated the result in his district. Look at the State of Arizona. Arizona is as large as any of the States that are complaining here. Why, 18,000 acres only in the whole State of Mississippi available for entry. In Arizona there are 13,000,000 acres available. There is as much business in the State of Arizona as in any of the public-land States, and there is now only one land office in the whole State, and there has been only one for a number of years. There is no complaint from the people of the State with reference to it. It all results in the question of the abolition of a few political jobs and perhaps an infringement on the local pride of the towns where these offices are located.

Mr. BLANTON. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BLANTON. How on earth does the gentleman expect to sustain the committee's action and defeat this amendment when every Member nearly has an office located in his district? How does the gentleman expect——

Mr. CRAMTON. I can not yield further. Let me say to the gentleman from Texas that this audience is not the one that I would have selected to vote on this question. [Laughter.] Now I want to yield to the gentleman from Oregon, as I want to be courteous to all, and I may not make much impression on this audience, anyway. While the gentleman from Oregon is preparing his question I would like to say that the General Land Office has not gone off on a tangent. They have made a thorough review of the expenditures of the office, and where they could do it without congressional cooperation they have done it. They have reduced in two years the salary roll in the District of Columbia 25 per cent. The total estimates for the department this year are 20 per cent under the current year.

Mr. SWING. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SWING. The gentleman says that the Land Office has retrenched where they could, but there are 14 offices where they have the power to consolidate the register and the receiver and save a large sum by doing away with clerks if they were willing to do so, but have not done so; they seem disposed to cut off the head instead of the foot and still render service to the people.

Mr. CRAMTON. The gentleman from California is one of the band that is making no distinction between the head and the foot; in trying to save the head he would save also the diseased member. The department has probably the authority to abolish some of these offices that come within a certain act, and having recommended this I trust that they will exercise their authority regardless of the action of Congress. But as to some of them, perhaps most of them, they probably require the aid of Congress.

The CHAIRMAN. All time has expired, and the question is on the amendment offered by the gentleman from Oregon.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—ayes 63, noes 38.

Mr. CRAMTON. Mr. Chairman, I ask for tellers, and pending that request I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. SINNOTT) there were—ayes 47, noes 61.

So the committee refused to rise.

The CHAIRMAN. The question now recurs on the demand of the gentleman from Michigan for tellers.

Tellers were ordered.

The Chair appointed as tellers Mr. CRAMTON and Mr. SINNOTT.

The committee again divided; and the tellers reported that there were—ayes 68, noes 47.

So the amendment was agreed to.

Mr. LEATHERWOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 12, line 8, after the words "South Dakota," strike out the words "Salt Lake City, Utah."

Mr. LEATHERWOOD. Mr. Chairman, that portion of the paragraph to which the amendment is directed seeks to consolidate the offices of register and receiver in the offices named. My amendment seeks to exempt Salt Lake City from that class where there would be a consolidation of these two offices. I offer the amendment, Mr. Chairman, for the reason that through all of these discussions I believe the public necessity is the paramount question. This is one of the leading offices in the West. Nearly 70 per cent of all the land within the State of Utah is included in what is known as the public domain.

Large areas of oil lands are handled through this office. Large areas of coal-bearing lands, the richest, perhaps, in the United States, have been handled and are yet to be handled through this office. For 23 years I have practiced in the office and I know something about the conditions existing there. Contests are almost continuously going on in the office, some of them involving hundreds of thousands and millions of dollars' worth of property. Many of these contests drag out for three, four, five, or six weeks. I know what the congestion is in the office and the necessity for the people to have service. Personally I have seen people wait in that office for two hours to be served, and that is no reflection upon anyone connected with the office, because they were doing all that was humanly possible to serve the public. It seems to me that we should proceed with some caution in the question of this consolidation. Frequently one of these officials will be conducting a hearing, and the other may be in the field investigating, so that they are both kept busy all of the time. It seems to me it would be foolish in a State where there is such a volume of business to consolidate these offices and cripple the service. At the present time the Government is contesting with the State of Utah practically all of the school-section allotments to the State upon the theory that title did not pass when the enabling act went into effect because of the known mineral character of the land, and these hearings involve the right of the State to the most valuable lands set apart for the schools of the

State. It may seem selfish on my part, but for one I speak of this particular office because I know what its congestion is and what the business to be transacted in that office is. It seems a poor policy to consolidate here and further cut down the effectiveness of this particular office, where there is such a demand upon the part of the people for efficient service.

Mr. CRAMTON. Mr. Chairman, the amendment the gentleman from Utah offers seeks to make two offices grow where they are growing now, instead of cutting one out as the bill proposes. The bill is indorsed by the Commissioner of the Land Office, who is a resident of Utah and I dare say familiar with the conditions there. I hope we will not override the Budget provision in this particular case.

Mr. LEATHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEATHERWOOD. In reply to the gentleman I desire to say that I have the highest regard for the judgment of the Commissioner of the General Land Office, but I do not believe that the commissioner has been fully advised as to the condition existing in the Salt Lake land office.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word of the amendment. Since the majority leader has come into the chamber, I think he ought to know that his steering committee is in a bad sort of situation. We have here under consideration a committee bill seeking to abolish certain offices, seeking to retrench expenditures, seeking to effect governmental economy, such as has been proposed by the President of the United States, and when it comes to a question of carrying out the policy and abolishing the positions, the majority leader's committee and his great party are able to muster on the floor of the House less than 50 votes to sustain the action of the committee. For our friends who made their assault on the Treasury had 68 votes to pass their amendment and change the committee's bill, and the administration, which is supposed to be behind this Appropriations Committee, which is supposed to support its proposed retrenchments and economies, could muster, with Democratic help of a few votes, only 47 votes.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. That is a terrible situation for the country. I yield to the gentleman from Illinois.

Mr. CHINDBLOM. The gentleman spoke correctly when he said that the committee was aided by only a few votes on the Democratic side.

Mr. BLANTON. Oh, they are always aided by votes from the Democratic side in effecting proper economies.

Mr. CHINDBLOM. We grant that and we are obliged for it——

Mr. BLANTON. I do not care to take up any further time, but I want the majority leader to know that his followers are not helping his President in his so-called economy policy which through his message he announced the other day.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized in opposition to the motion to strike out the last word.

Mr. RAKER. Mr. Chairman, ordinarily I would not rise, and possibly somebody else ought to, but I do not think there is a man in the House who would submit the language used by the chairman of the subcommittee, or by the gentleman from Texas [Mr. BLANTON] who just left the floor.

Mr. BLANTON. That was facetious.

Mr. RAKER. I know it is facetious, but it goes abroad. There is not a man within the hearing of my voice but who knows these men who voted to-day are not pork-barrel statesmen. You know that we have not had a hearing, you know that this action was taken without an opportunity to be heard, and that our people demand recognition and hearing, and when the gentleman, chairman of the subcommittee, made the statement, he evidently made it facetiously, otherwise he knows and everybody within the sound of my voice knows that this is no pork-barrel proposition. Now, in regard to looting. I am going to answer that once and for all. It is wholly unnecessary to make that kind of remarks on the floor of the House and send broadcast that the Members of the House of Representatives are here trying to loot the Treasury. These statements are made for the purpose of scaring men from voting their honest convictions. If not for that purpose, then they should not be made.

Mr. CRAMTON. Will the gentleman yield?

Mr. RAKER. I will.

Mr. CRAMTON. The gentleman has used some harsh language in reference to some mild statements.

Mr. RAKER. I will withdraw it.

Mr. CRAMTON. I could very properly have used much more vigorous language. Does the gentleman deny that on the proposition which is before the House there was an organization made among those Members who had land offices in their districts for the purpose of defeating this measure of economy? If that is not a pork barrel, what is it, and I will let the language stand.

Mr. RAKER. I will say to the gentleman there has been no organized effort. Since the Members have learned of this attempt to abolish these offices they have justly got busy. I hold in my hand telegrams from the land office, from the judge of the county, from the chamber of commerce, from farmers' organizations in the four counties in which the Susanville land office is situated, and the last has been received since I closed my statement, from men of the highest probity, from men scattered all over that district, who know what they want and know the truth, who know more about that land office than the Secretary of the Interior ever knew or ever will learn about these offices. I do not refer to the gentleman personally, and I hope that he and others will not continue to broadcast that because a man has the courage to vote for things which he knows are right and proper to be voted for, and for that reason it is pork-barrel legislation. This matter of which the gentleman spoke and which he says was facetious is scattered and carried as though it is the truth, saying that we are looting the Government when we have the courage to vote for that which we think, in fact know, is proper and right.

Mr. CARTER. Will the gentleman yield?

Mr. RAKER. I will.

Mr. CARTER. I would like to ask the gentleman how much courage it takes for a man to vote to keep from abolishing an office in his own district?

Mr. RAKER. We have voted to abolish them, and when it is necessary and you have a proper hearing it is all right. It is very proper that these matters should be considered before being acted upon, and this idea that because the business of an office functions within your district therefore you should not have the courage to vote to retain it is all wrong.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Utah.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The unexpended balance of $1,576.45 remaining to the credit of the appropriation of $2,055.67 authorized in the deficiency appropriation act approved September 8, 1916, for examination and classification of lands within the limits of the Northern Pacific grant and made available until expended by the deficiency act of April 17, 1917, shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this act.

Mr. JOHNSON of Washington. I would like to ask the gentleman if he intends to go ahead with the Indian affairs or not.

Mr. CRAMTON. It is not. The intention is just to read a few lines more, the item for the Commissioner of Indian Affairs, and then move that the committee rise.

The Clerk read as follows:

BUREAU OF INDIAN AFFAIRS

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia in accordance with "The classification act of 1923," $381,500.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 10020 had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent—

Mr. O'SULLIVAN was granted leave of absence for 10 days on account of important business.

Mr. FITZGERALD (on request of Mr. FOSTER) was granted indefinite leave of absence on account of illness.

COMMITTEE VACANCIES

Mr. LONGWORTH. Mr. Speaker, vacancies exist on the Committees on the Revision of the Laws, Claims, and Irrigation and Reclamation of Arid Lands, due to the death of the

gentleman from Kansas, the late Mr. LITTLE, whom we all lament. I ask unanimous consent that those vacancies may be filled up to the 4th of next March by his successor, the gentleman from Kansas [Mr. GUYER].

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. It is so ordered.

ADJOURNMENT

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Friday, December 5, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

666. A letter from the chairman of the Interstate Commerce Commission, transmitting the thirty-eighth annual report of the commission (H. Doc. No. 449); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

667. A letter from the Secretary of the Treasury, transmitting request for the consideration of proposed legislation transferring a certain portion of land on Fayette Street at the southeast corner of the post-office site in Baltimore, Md., to the city of Baltimore, Md.; the proposed legislation was submitted to the House December 5, 1917 (H. Doc. No. 531); to the Committee on Public Buildings and Grounds.

668. A letter from the Director General of the United States Railroad Administration, transmitting statement showing the make, model, and serial number of each typewriter exchanged by the Railroad Administration during the fiscal year ending June 30, 1924, the period of its use, the allowances therefor, the make and model thereof, and the price, including exchange value, paid for each typewriter procured through such exchange; to the Committee on Appropriations.

669. A letter from the Secretary of the Treasury, transmitting statement of expenditures from appropriations for the Coast Guard for the fiscal year ended June 30, 1924; to the Committee on Expenditures in the Treasury Department.

670. A letter from the chairman of the Federal Power Commission, transmitting statement showing permits and licenses issued under section 4 (c) of the Federal water power act during the fiscal year ended June 30, 1924, the parties thereto, the terms prescribed, and the moneys received during the fiscal year 1924 on account of permits and licenses, this statement appearing as Appendix E of the Fourth Annual Report of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

671. A letter from the superintendent of State, War, and Navy Department Buildings, transmitting a draft of proposed legislation "For the relief of certain disbursing officers of the office of the superintendent, State, War, and Navy Department Buildings"; to the Committee on Claims.

672. A letter from the librarian of the Library of Congress, transmitting an offer made by Elizabeth Sprague Coolidge to give to the Congress of the United States the sum of $60,000 for the construction and equipment in connection with the library of an auditorium, which shall be planned for and dedicated to the performance of chamber music (H. Doc. No. 472); to the Committee on the Library and ordered to be printed.

673. A letter from the librarian of the Library of Congress, transmitting annual report of the Librarian of Congress for the fiscal year ending June 30, 1924; to the Committee on the Library.

674. A letter from the president of the Board of Commissioners of the District of Columbia, transmitting statement of the expenditures made from the appropriation for contingent expenses of the government of the District of Columbia for the fiscal year ended June 30, 1924; to the Committee on the District of Columbia.

675. A letter from the Secretary of the Interior, transmitting a statement showing in detail what officers or employees (other than special agents, inspectors, or employees who in the discharge of their regular duties are required to travel constantly) have traveled on official business for the department from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1924, giving in each case the full title of the official or employee, the destination or destinations of such travel, the business or work on account of which the same was made, and the total expense in each case charged to the United States; to the Committee on Appropriations.

676. A letter from the Secretary of the Interior, transmitting statement of expenditures made by the Department of the Interior and charged to the appropriation "Contingent expenses, Department of the Interior, 1924," fiscal year ended June 30, 1924; to the Committee on Expenditures in the Interior Department.

677. A letter from the Secretary of the Treasury, transmitting request for the repeal of the act authorizing and directing the Secretary of the Treasury to purchase a site and building for offices to accommodate the United States Subtreasury, and other Government offices at New Orleans, La., approved June 25, 1910 (36 Stat. 694); to the Committee on Public Buildings and Grounds.

678. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Amite River and Bayou Manchac, La. (H. Doc. No. 473); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

679. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Bayou Bonfouca, La. (H. Doc. No. 474); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

680. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Sheboygan Harbor, Wis. (H. Doc. No. 475); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

681. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Tradewater River, Ky. (H. Doc. No. 476); to the Committee on Rivers and Harbors and ordered to be printed.

682. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Saco Harbor and River, Me. (H. Doc. No. 477); to the Committee on Rivers and Harbors and ordered to be printed, with diagram.

683. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Siletz River, Bar, and Entrance, Oreg. (H. Doc. No. 478); to the Committee on Rivers and Harbors and ordered to be printed.

684. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Pasquotank River at Elizabeth City, N. C. (H. Doc. No. 479); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

685. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Cooper River, S. C., with a view to the removal of a shoal opposite the foot of Calhoun Street, Charleston (H. Doc. No. 480); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

686. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Buffalo Harbor, N. Y. (H. Doc. No. 481); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

687. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of finances for the fiscal year ended June 30, 1924; to the Committee on Ways and Means.

688. A letter from the Director of the United States Veterans' Bureau, transmitting annual report of the Director United States Veterans' Bureau for the fiscal year ended June 30, 1924; to the Committee on World War Veterans' Legislation.

689. A letter from the Secretary of the Navy, transmitting reports made by the Chief of the Bureau of Navigation and the Major General Commandant, United States Marine Corps, as to the administration of the World War adjusted compensation act by the Navy Department; to the Committee on Ways and Means.

690. A letter from the Secretary of the Interior, transmitting statement embodying the number of documents received and distributed during the fiscal year 1924 by the Department of the Interior; to the Committee on Printing.

691. A letter from the Secretary of the Interior, transmitting a detailed statement embodying the aggregate number of the various publications issued during the fiscal year 1924 by the Department of the Interior, the cost of paper used for such publications, the cost of printing, cost of preparation of copy, and the number distributed; to the Committee on Printing.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9234) granting an increase of pension to Charles W. Hildreth; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9484) granting an increase of pension to Mary J. Hildreth; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CABLE: A bill (H. R. 10268) to provide for the choice of an officer who shall act as President in the event a President and Vice President shall not have been elected and qualified as provided by law; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. HAWES: A bill (H. R. 10269) regulating the interstate shipment of black bass, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD of Oklahoma: A bill (H. R. 10270) authorizing an appropriation to reimburse the State of Oklahoma for the education of Indian children in the public schools of said State; to the Committee on Indian Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 10271) to amend the World War veterans' act of 1924; to the Committee on World War Veterans' Legislation.

By Mr. TREADWAY: A bill (H. R. 10272) to amend the act entitled "An act to limit the immigration of aliens into the United States, and for other purposes," and cited as the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. DALLINGER: A bill (H. R. 10273) to establish a department of education and relief, and for other purposes; to the Committee on Education.

By Mr. FUNK: A bill (H. R. 10274) to provide for the purchase of a site and the erection of a public building at Paxton, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10275) to provide for the purchase of a site and the erection of a public building at Fairbury, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10276) to provide for the purchase of a site and the erection of a public building at Bloomington, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. TYDINGS: A bill (H. R. 10277) granting the consent of Congress to Bethlehem Steel Co. to construct a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.; to the Committee on Interstate and Foreign Commerce.

By Mr. LUCE: A bill (H. R. 10278) authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes; to the Committee on Agriculture.

By Mr. HAYDEN: A bill (H. R. 10279) for the completion of first mesa division of the Yuma auxiliary reclamation project, Arizona, and for other purposes; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 10280) to reimburse the reclamation fund for the benefit of the Yuma Federal irrigation project, Arizona-California, and to provide funds to operate and maintain the Colorado River front work and levee system adjacent to the Yuma project, Arizona-California; to the Committee on Irrigation and Reclamation.

By Mr. KEARNS: Concurrent resolution (H. Con. Res. 31) authorizing the appointment of a joint committee of the House and Senate to investigate and negotiate with bidders and make report on the Government's property at Muscle Shoals, Ala.; to the Committee on Rules.

By Mr. BEEDY: Resolution (H. Res. 372) authorizing the Committee on Mileage to employ a clerk; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 10281) granting an increase of pension to Jennie Pratt; to the Committee on Pensions.

By Mr. BACON: A bill (H. R. 10282) providing for the examination and survey of Swan River, Long Island, N. Y.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10283) authorizing the appointment of Howard D. Norris as first lieutenant of Air Service, United States Army; to the Committee on Military Affairs.

By Mr. BOYLAN: A bill (H. R. 10284) authorizing the appointment of Philip T. Coffey a captain in the Engineer Corps of the United States Army, and for other purposes; to the Committee on Military Affairs.

By Mr. CROLL: A bill (H. R. 10285) granting a pension to Rebecca Manviller; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Missouri: A bill (H. R. 10286) granting an increase of pension to Amelia Viets; to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 10287) authorizing preliminary examination and survey of the Caloosahatchee River in Florida with a view to the control of floods; to the Committee on Flood Control.

By Mr. FITZGERALD: A bill (H. R. 10288) granting a pension to James H. Jevens; to the Committee on Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 10289) granting an increase of pension to Charles Ingle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10290) granting a pension to Abraham Key; to the Committee on Pensions.

By Mr. GLATFELTER: A bill (H. R. 10291) granting an increase of pension to Catherine Dennes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10292) granting an increase of pension to Sarah M. Harbolt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10293) granting an increase of pension to Sarah Hartman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10294) granting an increase of pension to Catherine Fry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10295) granting an increase of pension to Mary S. Heidler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10296) granting an increase of pension to Lizzie Shuman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10297) granting an increase of pension to Mary Chronister; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10298) granting an increase of pension to Mary A. Fake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10299) granting an increase of pension to Emma Bare; to the Commitee on Invalid Pensions.

Also, a bill (H. R. 10300) granting an increase of pension to Lovina E. Becker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10301) granting an increase of pension to Margaret E. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10302) granting an increase of pension to Ida E. Koons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10303) granting an increase of pension to Sarah Mummert; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 10304) granting a pension to Lucy R. Robertson; to the Committee on Invalid Pensions.

By Mr. HOWARD of Nebraska: A bill (H. R. 10305) granting a pension to Reuben P. Hillers; to the Committee on Pensions.

Also, a bill (H. R. 10306) granting a pension to Mary L. Thatch; to the Committee on Pensions.

By Mr. KELLER: A bill (H. R. 10307) for the relief of Robert C. Muirhead; to the Committee on Naval Affairs.

By Mr. KURTZ: A bill (H. R. 10308) granting a pension to Earl Lingenfelter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10309) granting a pension to Mary C. Fluck; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 10310) granting an increase of pension to Elizabeth Groetzinger; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 10311) granting an increase of pension to Laura E. Reynolds; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 10312) granting an increase of pension to Sallie Gearhart; to the Committee on Invalid Pensions.

By Mr. MOORE of Illinois: A bill (H. R. 10313) granting a pension to Sarah V. Johnson; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10314) for the relief of C. M. Rodefer; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 10315) granting a pension to John Henson; to the Committee on Pensions.

Also, a bill (H. R. 10316) granting a pension to James M. Cawood; to the Committee on Pensions.

Also, a bill (H. R. 10317) granting a pension to Milton Jordan; to the Committee on Pensions.

Also, a bill (H. R. 10318) granting a pension to Nancy C. Patrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10319) granting an increase of pension to Polly Saylor; to the Committee on Invalid Pensions.

By Mr. ROGERS of New Hampshire: A bill (H. R. 10320) granting an increase of pension to Wealthy Young; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 10321) granting an increase of pension to Louise C. Kimberly; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 10322) granting a pension to Elizabeth Snyder; to the Committee on Invalid Pensions.

By Mr. SWOOPE: A bill (H. R. 10323) granting an increase of pension to Lovisa Buckley; to the Committee on Invalid Pensions.

By Mr. TEMPLE: A bill (H. R. 10324) granting a pension to Laura Crawford; to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10325) granting a pension to Nancy E. Dillon; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 10326) granting a pension to William H. Pettit; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 10327) granting an increase of pension to Mary Gorman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10328) granting an increase of pension to Mary A. Fife; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10329) granting an increase of pension to Rose A. Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10330) granting an increase of pension to Lucy A. Farington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10331) granting an increase of pension to Hittie Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10332) granting an increase of pension to Victoria M. Dean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10333) granting an increase of pension to Anna Crosby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10334) granting an increase of pension to Nellie M. Bunt; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10335) granting an increase of pension to Eliza M. Vail; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10336) granting a pension to Belle Boerstler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10337) granting an increase of pension to Mary Janes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10338) granting an increase of pension to Mary Brooker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10339) granting an increase of pension to Livonia Rodgers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10340) granting an increase of pension to Hester C. True; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10341) granting an increase of pension to Julia A. Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10342) granting an increase of pension to Jennie Dorman; to the Committee on Invalid Pensions.

By Mr. WARD of North Carolina: A bill (H. R. 10343) to provide for an examination and survey of Belhaven Harbor, Belhaven, Beaufort County, N. C.; to the Committee on Rivers and Harbors.

By Mr. WILSON of Indiana: A bill (H. R. 10344) granting an increase of pension to Nancy A. Sumner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10345) granting an increase of pension to Sarah E. Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10346) granting an increase of pension to Margaret M. Blackard; to the Committee on Invalid Pensions.

By Mr. WOODRUM: A bill (H. R. 10347) for the relief of Robert B. Sanford; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3079. By the SPEAKER (by request): Petition of Ellis Post, No. 6, Department of Pennsylvania, Grand Army of the Republic, Germantown, Philadelphia, Pa., favoring the repealing of the law authorizing the coinage of the Stone Mountain memorial 50-cent pieces; to the Committee on Coinage, Weights, and Measures.

3080. Also (by request), petition of general board of L'Union St. Jean-Baptiste d'Amerique, protesting against the passage of any legislation tending to establish a Federal bureau of education; to the Committee on Education.

3081. By Mr. ABERNETHY: Petition of George Henderson for the relief of persons who served in the United States Military Telegraph Corps during the Civil War, House bill No. 2719; to the Committee on Military Affairs.

3082. By Mr. CLARKE of New York: Petition of citizens of New York, opposing Senate bill 3218, to secure Sunday as a day of rest for the District of Columbia; to the Committee on the District of Columbia.

3083. By Mr. CULLEN: Petition of employees of the Brooklyn Postal Service of Brooklyn, N. Y., urging the enactment into law of Senate bill 1898, increasing the salaries of postal employees; to the Committee on the Post Office and Post Roads.

3084. By Mr. GALLIVAN: Petition of National Association of Real Estate Boards, Chicago, Ill., recommending legislation by Congress providing for scientific enlargement of the plan for the city of Washington and the extension of its parks; to the Committee on the District of Columbia.

3085. By Mr. PORTER: Petition of Army and Navy Union, United States of America, Capt. Charles V. Gridley Garrison, No. 4, Erie, Pa., favoring increased pensions being granted to war veterans and their dependents; to the Committee on Pensions.

3086. Also, petition of headquarters of Strong Vincent Post, No. 67, G. A. R., 409 State Street, Erie, Pa., favoring the passage of House bill 5934; to the Committee on Pensions.

3087. By Mr. SEGER: Petition of board of commissioners of the city of Passaic, N. J., for the passage of Senate bill 1898, increasing the salaries of postal employees; to the Committee on the Post Office and Post Roads.

3088. Also, petition of board of aldermen of Paterson, N. J., for the passage of Senate bill 1898, increasing the salaries of postal employees; to the Committee on the Post Office and Post Roads.

3089. Also, petition of John A. Gilson and 55 residents of Paterson, N. J., for the passage of Senate bill 1898, increasing the salaries of postal employees; to the Committee on the Post Office and Post Roads.

3090. Also, petition of H. Fronkes, of Passaic, N. J., and 80 residents of Passaic, Paterson, and vicinity, for the passage of Senate bill 1898 increasing salaries of postal employees; to the Committee on the Post Office and Post Roads.

3091. By Mr. SINNOTT: Petition of protest of residents of Bend, Oreg., against passage of Senate bill 3218, compulsory Sunday observance bill; to the Committee on the Judiciary.

3092. By Mr. TEMPLE: Petition of Wm. F. Templeton Post, No. 120, G. A. R., Washington, Pa., asking the repeal of the law authorizing the Director of the Mint to coin 50-cent pieces for the Stone Mountain Confederate Monumental Association; to the Committee on Banking and Currency.

3093. Also, petition of Strong Vincent Post, No. 27, G. A. R., Erie, Pa., in support of increase of rate of pension to veterans of the Civil and Indian wars and their widows, also in support of House bill 5934; to the Committee on Invalid Pensions.

SENATE

FRIDAY, *December 5, 1924*

(Legislative day of Wednesday, December 3, 1924)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Ferris	Kendrick	Shipstead
Ball	Fess	Keyes	Shortridge
Bayard	Fletcher	Ladd	Simmons
Borah	Frazier	McKellar	Smith
Brookhart	George	McKinley	Smoot
Bruce	Gerry	McLean	Spencer
Bursum	Glass	McNary	Stanfield
Butler	Gooding	Means	Stanley
Caraway	Greene	Metcalf	Sterling
Copeland	Hale	Neely	Swanson
Couzens	Harreld	Norris	Underwood
Cummins	Harris	Oddie	Wadsworth
Curtis	Harrison	Overman	Walsh, Mass.
Dial	Heflin	Pittman	Walsh, Mont.
Dill	Howell	Ralston	Watson
Edge	Johnson, Minn.	Reed, Pa.	Willis
Fernald	Jones, Wash.	Sheppard	

Mr. HARRISON. My colleague [Mr. STEPHENS] is absent on account of sickness.

Mr. FLETCHER. My colleague [Mr. TRAMMELL] is necessarily absent. I will let this announcement stand for the day.